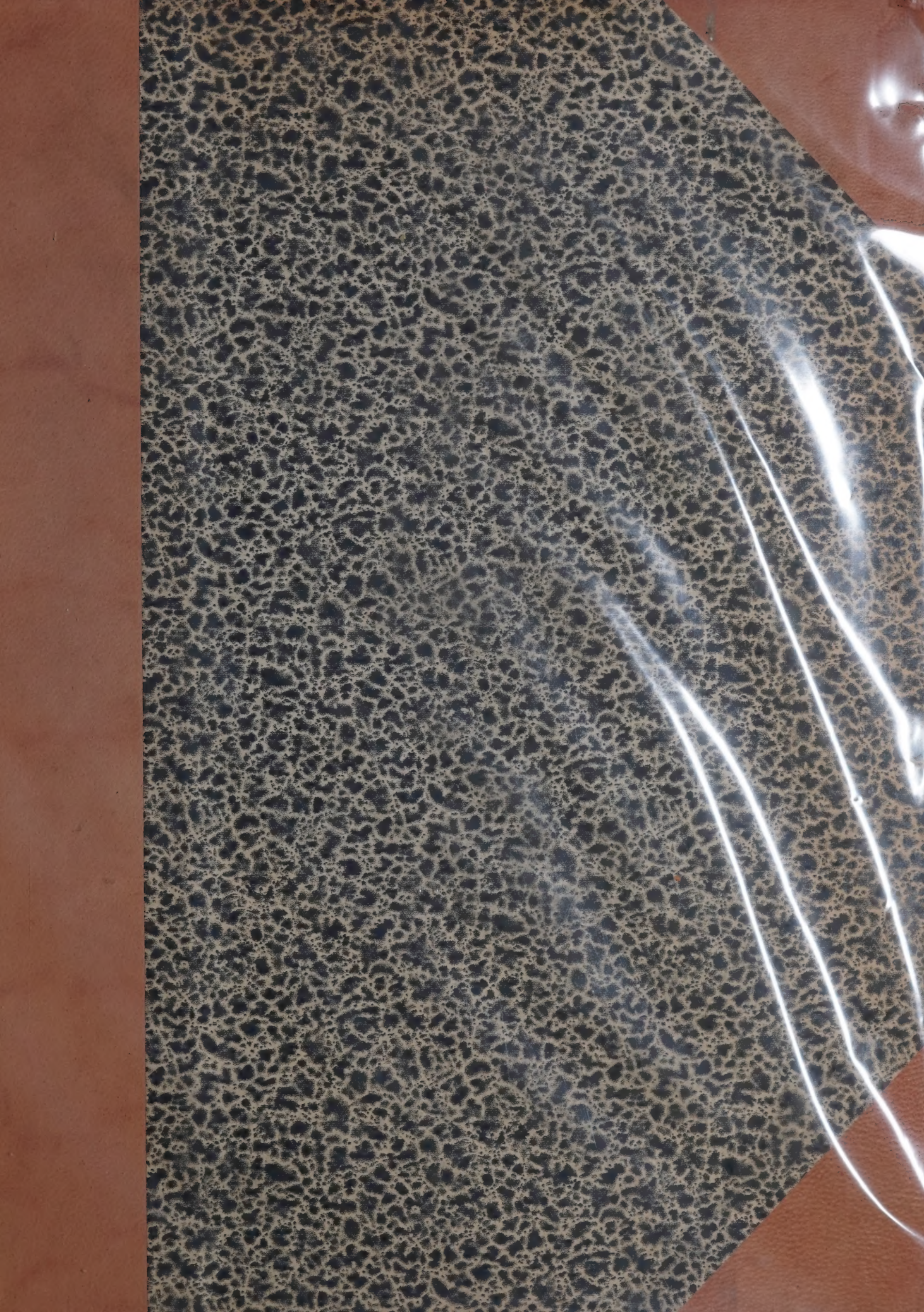

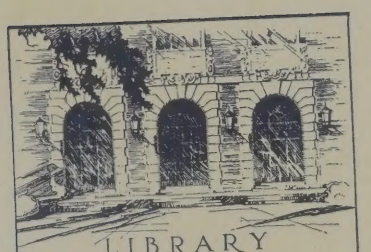

LIBRARY
OF THE
UNIVERSITY
OF ILLINOIS

328.7481
P381
1949
v.3

328.7481
P381
1949
v.3

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., WEDNESDAY, MARCH 30, 1949. No. 37.

SENATE

WEDNESDAY, March 30, 1949.

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. JOHN F. KNITTLE, offered the following prayer:

Almighty and ever-loving God, Who hast given to them that believe exceedingly great and precious promises, and Who makest all things to work together for good to them who love Thee, grant us, we pray, a steadfast faith in Thy Son, our Redeemer and Lord, a cheerful hope in Thy mercy, and a sincere love of Thee and our fellowmen.

Impressed with the greatness of our responsibilities and of the trust and confidence that has been reposed in us in the gift of our fellowmen who have called us to serve them, may there be inspired within us right motives and may we be given the strength to obey the dictates of conscience free from all personal desires and prompted by a sense of patriotism and of charity toward all men.

We humbly bow in reverence before Thee as the deliberations of this Assembly are about to begin, to lead us in the performance of duty and to enact that which will meet Thy favor and merit Thy approval in the decisions to be made.

Strengthen our resolution that in all things we shall give Thee the pre-eminence until Thou shalt become for all peoples the King of King's and Lord of Lord's.

We offer unto Thee these our petitions in the name of the Father, and of the Son, and of the Holy Spirit. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. PEELOR, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 121, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "State Employes Retirement Law," by further defining State employes and original members by extending the time until which employes of institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals may become contributors to the State Employes' Retirement Fund.

Which was committed to the Committee on State Government.

House Bill No. 137, entitled:

An Act to amend section nine hundred five of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

Which was committed to the Committee on State Government.

House Bill No. 138, entitled:

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth.

Which was committed to the Committee on State Government.

House Bill No. 139, entitled:

An Act to amend Section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine ((P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserved or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing such charges.

Which was committed to the Committee on State Government.

House Bill No. 140, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," defining the residence of certain children living upon State owned property, and providing for certain Commonwealth reimbursements.

Which was committed to the Committee on State Government.

House Bill No. 141, entitled:

An Act to amend subsection (b) of section two hundred eighty-nine of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," relating to fixed charges payable by the Commonwealth in lieu of taxes on real property.

Which was committed to the Committee on State Government.

House Bill No. 173, entitled:

An Act to amend section two thousand two hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by eliminating the requirement that the amount of a contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year.

Which was committed to the Committee on Education.

House Bill No. 195, entitled:

An Act to amend article eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for restitution in offenses against personal property.

Which was committed to the Committee on Judiciary General.

House Bill No. 417, entitled:

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" by further penalizing the furnishing of false or libelous statements or matter for publication or broadcast.

Which was committed to the Committee on Judiciary General.

House Bill No. 461, entitled:

An Act to add subsection (c.1) to section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life, subject to certain conditions.

Which was committed to the Committee on Insurance.

House Bill No. 483, entitled:

An Act to further amend subsections six, seven, twenty, and twenty-three of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by exempting from the provisions thereof, transportation of any injured, ill or dead person furnished by a licensed undertaker.

Which was committed to the Committee on Corporations.

House Bill No. 557, entitled:

An Act providing for the compensation of the mayor, council and appointed officers in cities of the second class A.

Which was committed to the Committee on Local Government.

House Bill No. 560, entitled:

An Act to further amend sections seven hundred six and nine hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing annual registration fees for trailers and semi-trailers, and increasing permissible maximum gross weights and axle loads of certain vehicles, and changing penalties.

Which was committed to the Committee on Highways.

House Bill No. 920, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," providing for township planning and the creation, organization and powers of township planning commission.

Which was committed to the Committee on Local Government.

House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

Which was committed to the Committee on Judiciary General.

House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by providing for determining the amount earnable by members of the General Assembly.

Which was committed to the Committee on State Government.

House Bill No. 1098, entitled:

An Act to further amend section fourteen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by providing for an additional option at superannuation.

Which was committed to the Committee on State Government.

House Bill No. 1106, entitled:

An Act to further amend subsection (a) of section seven of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by further regulating appointments of members of the board.

Which was committed to the Committee on Local Government.

House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled County Institution District Law," by directing that an allowance be paid to every county commissioner for expenses pertaining to the institution district.

Which was committee to the Committee on Local Government.

House Bill No. 1178, entitled:

An Act regulating the use of gifts and donations to State hosiptals; prohibiting the withholding of allocations of money to such hospitals for certain purposes; and imposing duties upon the Department of Welfare.

Which was committed to the Committee on State Government.

House Bill No. 1220, entitled:

An Act to amend subsection (a) of section three hundred eight of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "Real Estate Tax Sale Law," by changing the time for giving delinquent taxables notice of the entry of tax claims; extending the time for making returns and transfers of taxes to and for giving notices of, tax claims by the tax bureau; validating, ratifying and confirming such actions though not performed within the time prescribed by said act; providing for the sale of properties against which such tax claims are filed and reinstating and validating the liens of such taxes which have been lost.

Which was committed to the Committee on Local Government.

House Bill No. 1232, entitled:

An Act to further amend section six hundred ten of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the issuance of certain permits for excessive size and weight.

Which was committed to the Committee on Highways.

SENATE BILL No. 527 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 527, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing how the salaries of the chairman and members of the Pennsylvania Public Utility Commission shall be ascertained.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 527, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof. including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing how the salaries of the chairman and members of the Pennsylvania Public Utility Commission shall be ascertained.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 13 of the title, by striking out after the word "by" and before the word "the," the following: "providing how" and inserting in lieu thereof, the following: "increasing"; Amend the title, page 2, lines 14 and 15, of the title, by striking out after the word "commission" on line 14, the following: "shall be ascertained"; Amend the bill, page 4, by inserting after line 11, the following: "Section 2 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Shall the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 527

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 527.

Mr. HARE Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 526

He also returned to the Senate, Senate Bill No. 526, entitled:

An Act to amend subsection (c) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," increasing the salaries of the chairman and other commissioners.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 338

He also returned to the Senate, Senate Bill No. 338, entitled:

An Act authorizing the Department of Property and Supplies to convey a property in Somerset County, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 349 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled as amended, "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

and has appointed Messrs. BRUNNER, BOWER and STANK as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDENT. The communication will be laid on the table.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 865

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 865, entitled:

An Act making an appropriation to the Department of Property and Supplies for the cost of acquisition of a tract of land in Dauphin County, formerly the property of the United States Government.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 28, 1949.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 4, 1949, at four o'clock P. M., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, April 4, 1949, at four-thirty o'clock, P. M., E. S. T.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 176

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 30, 1949.

Resolved (if the Senate concur), That House Bill No. 176, Printer's No. 43, entitled "An Act validating certain sheriffs' sales of real estate for non-payment of taxes and other municipal liens, and validating the title to such real estate in the hands of purchasers, their heirs, grantees, and assigns.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 14 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 14, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument com-

memorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the acquisition of additional grounds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will be laid on the table.

SENATE BILL NO. 179 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 179, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled, "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," further defining State employe to include officers and employes of the State Public School Building Authority.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will be laid on the table.

SENATE BILL No. 456 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will be laid on the table.

HOUSE BILL No. 349 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 349, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled as amended "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

and move a committee of conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 349

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. LLOYD H. WOOD, HARE and DENT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 349.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 104, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the township of Upper Providence, Delaware County, Pennsylvania, with the approval of the Governor.

House Bill No. 167, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townshps, institution districts and other political subdivisons from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Senate Bill No. 526, entitled:

An Act to amend subsection (c) of section one of the act approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvana, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," increasing the salaries of the chairman and other commissioners.

Senate Bill No. 527, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing how the salaries of the chairman and members of the Pennsylvania Public Utility Commission shall be ascertained.

House Bill No. 680, entitled:

An Act to reenact and further amend the act approved the twelfth day of May, one thousand nine hundred thirty-nine (P. L. 133), entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health."

House Bill No. 865, entitled:

An Act making an appropriation to the Department of Property and Supplies for the cost of acquisition of a tract of land in Dauphin County, formerly the property of the United States Government.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

GENERAL COMMUNICATIONS

The Chair cleared his table and laid before the Senate the following communication, which was read by the Clerk:

March 29, 1949,

69 Griffen Avenue, Scarsdale, New York.

Dear Senators Mallery and Haluska:

We, the members of the family of the late Charles O'Neill deeply appreciate the honor bestowed upon him in the Resolution of March 1, 1949, of the Senate of the Commonwealth of Pennsylvania, and cannot adequately express in words the comfort and consolation it brought.

We wish to thank you and Senator Haluska for introducing the Resolution, and also the Members of the Senate who deemed it fit to perpetuate the memory of one of their loyal sons, our husband and father.

Yours sincerely,

MRS. LOUISE SMITH O'NEILL
(MRS. CHARLES O'NEILL)

Senator Chas. R. Mallery
Pennsylvania State Senate
Harrisburg, Pa.

REPORTS FROM COMMITTEES

Mr. DONLAN, from the Committee on Military Affairs and Aeronautics, reported as amended, Senate Bill No. 449, entitled:

An Act to promote the welfare of the veterans of this Commonwealth creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to Veterans to establish or continue themselves in business or professions authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act prescribing the powers and duties of said Authority and making an appropriation.

Mr. WATSON, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 533, entitled:

An Act to add section two hundred seventy-eight point one to the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 532, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings

Mr. DOEHLA, from the Committee on Forests and Waters, Game ad Fish, reported as committed, House Bill No. 979, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen

(P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

Mr. LETZLER, from the Committee on Law and Order, reported as amended, Senate Bill No. 735, entitled:

An Act to amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

He also, from the Committee on Law and Order, reported as amended, Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alchoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

Mr. ROBINSON, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 326, entitled:

An Act relating to forest management and damage caused by improper timber cutting methods resulting in the denuding of vast areas of the Commonwealth, and contributing to undue exhaustion of timber supply, recurring floods, soil erosion and depletion of the water supply; providing for the establishing and organization of District Forest Practice Boards, and the appointment of their officers; prescribing their powers and duties; fixing the powers and duties of the Secretary of Forests and Waters relative to the enforcement of this act; and providing assistance to such District Forest Practice Boards and woodland owners.

Mr. LLOYD H. WOOD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

Mr. DIEHM, from the Committee on Local Government, reported as committed, House Bill No. 189, entitled:

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made.

Mr. McPHERSON, JR., from the Committee on Judiciary General, reported as committed, House Bill No. 598, entitled:

An Act to amend section tne of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 783, entitled:

An Act to amend clause (6) of section two of the act approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational reshabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

Mr. T. NEWELL WOOD, from the Committe on Labor and Industry, reported as committed, House Bill No. 69, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers.

Mr. PEELOR, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 588, entitled:

An Act making an appropriation to the Pennsylvania Aeronautics Commission for the payment of certain moral claims and providing for the hearing, adjustment and payment of moral claims of persons whose property is damaged through negligence of employes of the Commission.

Mr. WALKER, from the Committee on Corporations, reported as committed, Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercse, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municpal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of falicities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings, conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplies and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

He also, from the Committee on Corporations reported as committed, Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

He also, from the Committee on Corporations reported as committed, Senate Bill No. 723, entitled:

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish reported as committed, Senate Bill No. 721, entitled:

An Act to amend section three of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future sillting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting any dredging operations deemed inimical to the project.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 1192), entitled:

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty day prior to the beginning of trout season in certain cases

He also, from the Committee on Military Affairs and Aeronautics, re-reported as amended, Senate Bill No. 54, entitled:

An Act to further amend sections four hundred twenty-two four hundred twenty-three and four hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

He also, from the Committee on Military Affairs and Aeronautics, re-reported as amended, Senate Bill No. 56, entitled:

An Act to further amend sections two and three and to amend section four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

Mr. KEPHART, from the Committee on Judiciary General reported as amended, House Bill No. 619, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for supplemental applications to be filed by persons entering an existing business the fictitious name of which has been filed under said act.

Mr. MALLERY, from the Committee on Judiciary General reported as committed, House Bill No. 144, entitled:

An Act enabling and authorizing the Department of Public Instructon or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor.

Mr. HARE, from the Committee on Education, reported as committed, Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employes.

He also, from the Committee on Law and Order, reported as amended, Senate Bill No. 698, entitled:

An Act authorizing the Pennsylvania Liquor Control BBoard to issue liquor licenses to airport restaurants without regard to population restrictions.

He also from the Committee on Local Government reported as committed, Senate Bill No. 544, entitled:

An Act to further amend the first paragraph of section eight of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions form taxation, execution, attachment, levy and sale; and making an appropriation," by further prescribing the number of eligible employes necessary for municipalities to join said retirement system.

Mr. PECHAN on behalf of Mr. MEADE, from the Committee on Judiciary General, reported as committed, House Bill No. 883, entitled:

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending.

Mr. PECHAN, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 680, entitled:

An Act to further amend section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by increasing the powers of the Pennsylvania Labor Relations Board.

Mr. SNOWDEN, from the Committee on Corporations, reported as committed, Senate Bill No. 733, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of injured, ill or dead persons by ambulance; and eliminating expired provisions.

Mr. RUTH, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 793, entitled:

An Act to further amend section two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolilating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the catching and taking of terrapin on Sunday.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 768, entitled:

An Act to add clause (v) to section two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

Mr. LEADER, from the Committee on Education, reported as committed, Senate Bill No. 763, entitled:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof, grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 258, entitled:

An Act to amend Article twelve sections twelve hundred two twelve hundred three and twelve hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled, "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof.

Mr. DiSILVESTRO, from the Committee on Judiciary General, reported as committed, Senate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife as subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

Mr. TARR, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 283, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Mt. Pocono Airport Authority certain property located in Monroe County and commonly known as the "Mt. Pocono Airport."

He also, from the Committee on Military Affairs and

Aeronautics, reported as committed, Senate Bill No. 702, entitled:

An Act providing for powers, responsibilities, duties and limitation of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

Mr. BARRETT, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1004, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport.

Mr. NEFF, from the Committee on Corporations, reported as committed, Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions.

He also, from the Committee on Corporations, reported as committed, House Bill No. 325, entitled:

An Act to amend section eight hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof.

He also, from the Committee on Corporations, reported as committed, House Bill No. 673, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases.

He also, from the Committee on Corporations, reported as committed, House Bill No. 678, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may

be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases.

He also, from the Committee on Corporations, reported as committed, House Bill No. 723, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor.

BILLS INTRODUCED AND REFERRED

Messrs. LETZLER, DONLAN and TARR read in place and presented to the Chair Senate Bill No. 813, entitled:

An Act relating to the issuance of liquor and malt or brewed beverages licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

Which was committed to the Committee on Law and Order.

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 814, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

Which was committed to the Committee on Public Health and Welfare.

Messrs. DOEHLA, BLASS and MAHANY read in place and presented to the Chair Senate Bill No. 815, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting earnings or other income to supplement public assistance in certain cases.

Which was committed to the Committee on Public Health and Welfare.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 816, entitled:

An Act to further amend clause seventeen of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the definition of "Final Salary."

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 817, entitled:

An Act to further amend clause (7) of section one of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof, and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the definition of "employe" to include other school service.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 818, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating or drinking places within this Commonwealth; defining public eating or drinking places; requiring their licensing; defining licensor; conferring certain powers on the Department of Health of this Commonwealth and on the local health authorities; providing for appeals in certain cases and conferring jurisdiction in such cases upon certain courts; providing for summary proceedings for violations of this act and prescribing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 819, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribu-

tions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by clarifying the definition of State employe.

Which was committed to the Committee on State Government.

Messrs. T. NEWELL WOOD and HARE read in place and presented to the Chair Senate Bill No. 820, entitled:

An Act to further amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to Public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by imposing upon counties a percentage of all public assistance costs and the powers and duties of administering public assistance through the county boards of assistance.

Which was committed to the Committee on Public Health and Welfare.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 821, entitled:

An Act relating to the practice of the occupation or business of opticians and providing for the licensing and registration of opticians; and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of and the Department of Public Instruction and providing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 822, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties, of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a State Board of Examiners of Opticians in the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. LORD, JR. read in his place and presented to the Chair Senate Bill No. 823, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employes to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for modification of the manner in which employer contribution rates are determined and redetermined.

Which was committed to the Committee on Labor and Industry.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act relating to and regulating the practice of Naturopathy as herein defined; providing for the licensing and regulation of practitioners; conferring powers and imposing duties upon the State Board of Naturopathic Examiners and providing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair, Senate Bill No. 825, entitled:

An Act to further amend subsection (d) of section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by increasing the

salaries of the chairman and members of the Pennsylvania Labor Relations Board.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 826, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Naturopathic Examiners and defining its powers and duties.

Which was committed to the Committee on Education.

Messrs. HARE and T. NEWELL WOOD read in place and presented to the Chair Senate Bill No. 827, entitled:

An Act creating a commission to make a study and investigation of the administration of public assistance, providing for the membership thereof, prescribing its powers and duties, empowering it to subpoena witnesses and records, prescribing penalties and making an appropriation.

Which was committed to the Committee on State Government.

Mr. DiSILVESTRO read in his place and presented to the Chair Senate Bill No. 828, entitled:

An Act to further amend section four of the act, approved the seventeenth day of May, one thousan nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by removing the credit limination given for experience acquired in drug dispensaries of public hospitals.

Which was committed to the Committee on Public Health and Welfare.

REPORTS FROM COMMITTEES

Mr. MAHANY. Mr. President, I ask unanimous consent to report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 270, entitled:

An Act providing for the oral examination of judgment debtors for the purpose of discovering whether such persons have property which may be made subject to execution on the judgment and conferring powers to compel attendance and examination of such persons upon courts of record.

Mr. HOLLAND. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND, from the Committee on Education, reported as committed, Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes' defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties," by extending service allowance of certain employes.

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Law and Order, reported as committed, Senate Bill No. 813, entitled:

An Act relating to the issuance of liquor and malt or brewed beverages licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

SENATE RESOLUTION

REQUESTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY AND REVISION OF "THE ADMINISTRATIVE CODE OF 1929" AND REPORT SUCH REVISION TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY

Mr. TALLMAN offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate of Pennnsylvania, March 30, 1949.

Whereas, Under Senate Resolution, Serial No. 33, adopted March 10, 1947, the Joint State Government Commission was requested during the interim between the 1947 Session of the General Assembly and its next regular session, to make a study and revision of "The Administrative Code of 1929," and the laws on subjects related there to or within the scope thereof, and to include in said revision additions, eliminations and the revamping of boards, commissions and agencies where the ends of efficient administration would be best served

thereby, and to present the revision for the consideration of the General Assembly; and

Whereas, Such study and revision has proven more time-consuming than originally anticipated; therefore be it

Resolved, That the Joint State Government Commission is hereby requested to continue its study and revision of "The Administrative Code of 1929" and related matters as provided under Senate Resolution, Serial No. 33, adopted March 10, 1947, and to present such revision for the consideration of the General Assembly at its next regular session.

SENATE BILL No. 14 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 14, returned from the House of Representatives with amendments, for consideration at this time.

RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 14.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 14, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the acquisition of additional grounds.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 8 of the title, by inserting after the quotation mark and before the word "authorizing", the following: "By"; Amend the title, page 1, line 9 of the title, by inserting after the word "grounds" at the end of the line, the following: "and the payment therefor"; Amend Section 1, page 3, line 1, by striking out at the beginning of the line, before the word "acres", the following: "fifteen hundred (1500)" and inserting in lieu thereof, the following: "one thousand (1000)"; Amend the bill, page 3, inserting between lines 7 and 8, the following: "Section 2 The Secretary of Forests and Waters may purchase additional lands for the Washington Crossing Park authorized by this amendment out of any available funds appropriated by any Act of Assembly to the Department of Forests and Waters for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof and for the operation maintenance development and improvement of existing parks"; Amend Section 2, page 3, line 8, by striking out after the word "Section" and before the word "The", the following: "2" and inserting in lieu thereof, the following: "3".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 14.

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 14.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 179 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 179, returned from the House of Representatives with amendments, for consideration at this time.

RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 179.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 179, entitled:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," furthre defining State employe to include officers and employes of the State Public School Building Authority.

Which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 6 of the title, by inserting after the word "Authority" at the end of the line, the following: "the General State Authority and the State Highway and Bridge Authority".

Amend Section 1, page 4, line 11, by striking out after the word "Commission" and before the word "the", the following: "and of".

Amend Section 1, page 4, by inserting between lines 11 and 12, the following: "the General State Authority and of the State Highway and Bridge Authority".

Amend Section 1, page 4, line 15, by striking out after the word "Commission" and before the word "the", the following: "and".

Amend Section 1, page 4, line 16, by inserting after the word "Authority" and before the word "shall", the following: "the General State Authority and the State Highway and Bridge Authority".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 179

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 179.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 456 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 456, returned from the House of Representatives with amendments, for consideration at this time.

RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to Senate Bill No. 456.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 6 of the title, by inserting at the end of the line, after the word "by", the following: "temporarily".

Amend the title, page 2, line 7 of the title, by inserting after the word "for" and before the word "reimbursement", the following: "partial".

Amend the title, page 2, line 12 of the title, by inserting after the word "products", the following: "providing penalties and making appropriations from the motor license fund and the liquid fuels tax fund for the payment of such reimbursements".

Amend the bill, page 2, by inserting after line 20, the following:

"Whereas the agriculture industry of the Commonwealth fully recognizes the importance to it of the further improvement of farm to market roads and its obligation to assume a proper share of the cost of such improvement and is appreciative of the fact that any decrease in taxes on real estate for road purposes brought about by the appropriation of liquid fuels tax funds for local road purposes amounts in some degree to an indirect reimbursement to the industry of liquid fuels taxes paid by it and

Whereas The agriculture industry of the Commonwealth takes the position that full payment of the liquid fuels tax on fuels consumed in farm equipment for the use of public highways or bridges or air navigation facilities places an unfair and excessive burden upon the industry and".

Amend Section 1, page 5, line 1, by inserting after the word "reimbursed" and before the word "the", the following: "one-half".

Amend Section 1, page 5, line 1, by striking out after the word "tax", the following: "all claims for reim-"

Amend Section 1, page 5, by striking out all of lines 2 to 19, inclusive.

Amend Section 1, page 6, by striking out all of lines 1 to 18, inclusive.

Amend Section 1, page 7, by striking out all of lines 1 to 14, inclusive. and inserting in lieu thereof, the following:

All such claims for reimbursement shall be made upon a form to be furnished by the board of finance and revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purposes for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as stated each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimants knowledge and shall be signed by the claimant or the person claiming on his behalf".

Amend Section 1, page 7, by striking out all of lines 16 and 17.

Amend Section 1, page 7, line 18, by striking out at the beginning of the line and before the word "liquid", the following: "relating to the actual production of farm products and that the".

Amend Section 1, page 7, line 19, by striking out after the word "tax" and before the word "was" the following: "on such liquid fuels".

Amend Section 1, page 7, line 19, by inserting after the word "paid" and before the word "all", the following: "on the liquid fuels for which reimbursement is claimed".

Amend Section 1, page 8, line 18, by striking out after the word "of", the following: "perjury", and inserting in lieu thereof, the following:

"A misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment for not more than six (6) months or both".

Amend Section 2, page 9, by inserting after line 18, the following: "and before the thirtieth day of June one thousand nine hundred fifty-one".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 456

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 456.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agreed to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration or Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, at the request of the gentleman from Philadelphia, Senator Rosenfeld, who is ill, he had asked that Senate Bill No. 5 go over in order, and I also notice on the calendar another bill on second reading, I believe dealing pretty much with the same subject matter. I think it is Senate Bill No. 654. Perhaps we can catch up with it, and vote on both of them on the same day.

Mr. WALKER. Mr. President, I understand that Senate Bill No. 5 has not come up from the printer yet, so I have no objection to Senate Bill No. 5 going over temporarily.

Mr. BARR. Mr. President, what does "temporarily" mean?

Mr. WALKER. Mr. President, "temporarily" means that as soon as the bill is on our desks, it will be called up for action.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 5 on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 220, as follows:

An Act making an appropriation to the Department of Military Affairs for the payment of certain claims against the Commonwealth and that Department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred dollars ($500.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs of the Commonwealth of Pennsylvania for the payment of moral claims against the Commonwealth and that Department arising out of the use of automobiles operated by officers or employes of the Department of Military Affairs or officers or enlisted men of the National Guard which automobiles were not insured against public liability

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296, as follows:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts and other public agancies furnishing assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurer city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 402 Care of Persons Referred by Department of Public Assistance The local authorities shall have power to care for any dependent or other indigent person in the county or city who is referred to them by the Department of Public Assistance or by a local board under its supervision pending the determination of such person's legal settlement

Where institutions operated by the local authorities of any institution district provide care for the physically infirm or chronically ill such local authorities shall require payment in any amount not to exceed the annual per capita operating and maintenance costs (exclusive of such items as capital expenditure depreciation and interest on indebtedness for capital expenditures) of such care from those persons who are able to pay or who receive assistance or other moneys from public or private agencies Provided That the facilities and their operation are in conformity wtih minimum recognized requirements prescribed in the standards rules and regulations of the Department of Welfare for safeguarding health safety and comfort The placing of any person in such institution shall not be deemed cause for stopping or reducing the amount of assistance payable to him from any public agency

Where no such institution is maintained or operated by the local authorities of any institution district and the authorities place such person in a proper institution not operated by it where he receives care and maintenance the local authorities and the public agency from whom such infirm or ill person was receiving assistance may share the cost of institutionalizing such person in such manner that the said public agency would pay monthly an amount equal to the sum paid monthly by such agency to said infirm or ill person prior to his or her entry into the institution

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State Institution providing for a board of trusees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby directed to be established and erected at a site within the limits of the City of Philadelphia to be designated by the Department of Welfare with the approval of the Governor the Eastern Pennsylvania Psychiatric Institute for study and research into the causes treatment prevention and cure of the various types of nervous disorders and mental diseases This institute shall also provide training and teaching both at the undergraduate and at the graduate level of students who upon graduation will enter the practice of general medicine with a technical background of training in mental illness as well as for the purpose of taking up the great gap between the number of qualified psychiatrists and the number who are needed as a result of the constantly mounting number of persons needing attention for mental disorders

A further purpose of the institute shall be to provide regular courses of study for State Hospital personnel in order that they may be a more highly trained and efficient staff and personnel in the various mental institutions throughout the Commonwealth

A further purpose shall be to deal with the mental hygiene of the normal child in the way of study and training in order that there may be a program of prevention of mental and nervous disorders as a result of giving children the proper background and training that will prevent such disorders

For a further purpose the institute shall focus its expert activities on problems of administration so that studies may be made to deal effectively humanely and economically with the care of mental illness throughout the Commonwealth

Section 2 The Department of Property and Supplies shall proceed with surveys plans and estimates for an available site selected by the Department of Welfare and approved by the Governor for the construction and equipment of such institution thereon and for the improvement of the grounds connected therewith in the manner provided by The Administrative Code of one thousand nine hundred twenty-nine as amended and shall proceed as soon as said site is selected and the plans for such institution are approved with the erection construction and equipping of the same

Section 3 To effectuate the aforesaid purposes the plans for such institution shall be of sufficient size for a minimum of three hundred beds fifty of which shall be so set apart so as to permit their use for the study of children suffering from mental illnesses such plans also provide for adequate out-patient service and for laboratories study research and assembly rooms

Section 4 The institution hereby established shall be a State institution and the board of trustees thereof hereinafter provided for shall be a departmental administrative board within the Department of Welfare and shall have all the powers and duties conferred and imposed upon boards of trustees of State institutions within such department as provided by The Administrative Code of one thousand nine hundred twenty-nine as amended except as otherwise provided in this act

Section 5 The Eastern Pennsylvania Psychiatric Institute hereby established shall be under the management of a board of trustees which board shall consist of fifteen members to be appointed by the Governor In appointing such board the Governor shall select three representatives from each of the following medical schools Jefferson Medical College the School of Medicine of Temple University the School of Medicine of the University of Pennsylvania Hahnemann Medical College and Woman's Medical College one member from each school to serve for five (5) year terms one from each school for three (3) year terms and one from each school for two (2) year terms The Governor and the Secretary of Welfare shall be ex officio members of the board

Section 6 The board of trustees shall select and appoint a director of such institution which director shall be a physician of qualifications and experience in the care and treatment of mental diseases and mental defectives

Section 7 In addition to the board of trustees hereinbefore provided for such institution shall have a medical advisory board the duty of which shall be to concur with the board of trustees in the appointment of the professional staff of such institution and in the professional aspects of the treatment and cure of persons admitted to the same for treatment of using the services of the out-patient department The medical advisory board shall be composed of the medical doctors from time to time holding the postiion of the head of the psychiatry department of the aforementioned medical schools in the City of Philadelphia

Section 8 The Governor shall as soon as possible after the effective date of this act appoint the board of trustees of such institution and the medical advisory board thereof which boards shall be consulted by the Department of Welfare and the Department of Property and Supplies relative to the selection of a site for such institution and the preparation and drafting of the plans for the construction of the same

Section 9 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,

Farrell, Mallery, Tallman, Yosko,
Frazier, McPherson, Jr.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 436, as follows:

An Act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Western State Psychiatric Institute and Clinic located in Allegheny County shall be used for study and research into the causes treatment prevention and cure of the various types of nervous disorders and mental diseases This institute shall also provide training and teaching both at the undergraduate and at the graduate level of students who upon graduation will enter the practice of general medicine with a technical background of training in mental illenss as well as for the purpose of taking up the great gap between the number of qualified psychiatrists and the number who are needed as a result of the constantly mounting number of persons needing attention for mental disorders

A further purpose of the institute shall be to provide regular courses of study for State Hospital personnel in order that there may be a more highly trained and efficient staff and personnel in the various mental institutions of throughout the Commonwealth

A further purpose shall be to deal with the mental hygiene of the normal child in the way of study and training in order that there may be a program of prevention of mental and nervous disorders as a result of giving children the proper background and training that will prevent such disorders

A further purpose shall be the training and teaching of nurses and other personnel needed in the treatment care and prevention of mental illness

For a further purpose the institute shall focus its expert activities on problems of administration so that studies may be made to deal effectively humanely and economically wtih the care of mental illness throughout the Commonwealth

Section 2 The Western State Psychiatric Institute and Clinic shall be under the management of the Board of Trustees of the University of Pittsburgh which board shall select and appoint a director of the institute who shall be a physician of qualifications and experience in the care and treatment of mental diseases and mental defectives

Section 3 In addition to the Board of Trustees hereinbefore provided for such institution shall have a medical advisory board the duty of which shall be to submit policy recommendations relative to the treatment and cure of persons admitted to the same for treatment and recommend anything necessary to carry out the purposes of the institute as hereinbefore set forth

The Medical Advisory Board shall be composed of the Secretary of Welfare the director of the Bureau of Mental Health of the Department of Welfare of the Commonwealth of Pennsylvania the chairman of the Medical Advisory Board of the Eastern Pennsylvania Psychiatric Institute the director of the Western State Psychiatric Institute and Clinic who shall be chairman of the Medical Advisory Board the dean of the School of Medicine of the University of Pittsburgh the dean of the Graduate School of Public Health of the University of Pittsburgh The dean of the School of Nursing of the University of Pittsburgh The president of the Western Pennsylvania Neuro-Psychiatry Society and the chairman of the committee on the Medical Center of the Board of Trustees of the University of Pittsburgh

Section 4 All recommendations concerning the policies of the institute and clinic which come from the Medical Advisory Board shall be referred to the Board of Trustees through the trustee committee of the Medical Center of the University of Pittsburgh When such recommendations are considered by the trustee committee on the Medical Center of the University of Pittsburgh the Secretary of Welfare shall be invited to be present and to participate in the discussion of the same

Section 5 The Department of Property and Supplies with the approval of the Governor is hereby authorized and directed to lease for the rental of one dollar ($1.00) per annum to the Board of Trustees of the University of Pittsburgh all the lands buildings and equipment in the City of Pittsburgh County of Allegheny Pennsylvania which comprise the Western State Psychiatric Institute and Clinic for such term as shall be agreed upon

Section 6 The lease shall be prepared by the Department of Justice and executed by the Secretary of Property and Supplies with the approval of the Governor and the Attorney General

Section 7 The Department of Welfare of the Commonwealth of Pennsylvania is hereby authorized and required to relinguish the government management operation and control of the Western State Psychiatric Institute and Clinic to the University of Pittsburgh at such time as may be agreed upon by the terms of the lease hereinbefore mentioned

Section 8 Section two thousand three hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commission and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) and the seventeenth day of April one thousand nine hundred forty-five (P. L. 245) is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

REQUEST THAT BILL GO OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 436, on final passage, go over in its order.

The PRESIDENT. Is there objection?

INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Haluska.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. WALKER. Mr. President, would the gentleman from Cambria, Senator Haluska, please advise his reasons for asking that the bill go over in order?

Mr. HALUSKA. Mr. President, this bill came out of committee yesterday afternoon, without any opportunity to study the bill, and since yesterday I received a number of calls from Pittsburgh, from people who wish to contact me, to explain certain features of this bill.

Personally, Mr. President, I do not know a thing about it myself, but I would like to have the privilege of talking with these people from Pittsburgh between now and Monday if possible, and then you can pass your bill.

Mr. WALKER. Mr. President, may I say this to the gentleman from Cambria, that this bill is the result of an arrangement that has been worked out with the Department of Welfare and the Medical School of the University of Pittsburgh to turn over to the University of Pittsburgh, for purposes of operation, the Western Pennsylvania Psychiatric Institute, as part of the Medical Center at the University of Pittsburgh. The details of this thing have been very carefully prepared by the Medical School, the Department of Welfare, the Appropriations Committee from the House, the Appropriations Committee from the Senate, the Governor's Office, the Budget Director, and the Attorney General. There have been a series of conferences between and among these various proponents, individual groups and institutions represented, to the end that this thing can be promulgated and taken advantage of at the earliest possible moment. It is of vital importance to the people back home.

Mr. President, the University of Pittsburgh Medical School is exerting every effort to have available a staff to take the Institution over at the earliest possible moment.

I appreciate the concern of the gentleman from Cambria that some people back home tried to talk to him about the bill. Mr. President, we have here in the Senate a number of Members of the Senate who are from Allegheny County, and my co-sponsor of the bill, Senator Barr, who also is a fellow alumnus of the University of Pittsburg, and I have worked very closely with the University and with the people in Allegheny County concerning this bill, and we have had nothing but the highest commendation and praise for the purposes that will result by reason of this. All three metropolitan newspapers in Pittsburgh are very much in favor of this proposed turning over of the Western Pennsylvania Psychiatric Institute to Pitt. Personally I can see no purpose in the delay, because we are moving the Eastern Psychiatric Institute along also, and I would suggest, in all sincerity, that the gentleman from Cambria permit us to go ahead and pass this bill, because we are anxious to have it go to the House where it must be approved.

Mr. HALUSKA. Mr. President, I have not studied this bill very closely, and I do not know just what is contained in it, but as I said previously some people in Pittsburgh wish to contact me to explain the bill to them. First of all, may I say, Mr. President, I believe in this cause, but I see no immediate rush to pass this bill today, and I have had an honest request to have it go over in order. I might say if I thought it imperative to have it passed today, I would withdraw my objection, but it is not that imperative.

Mr. WALKER. Mr. President, I would like to call the gentleman's attention to the fact that this bill was introduced by myself and Senator Barr on March 2nd, and at that time it was referred to the Senate Committee on State Government. On March 8th the bill was reported as committed, it passed first reading on March 8th, passed second reading on March 9th, and was then re-referred to the Senate Committee on Appropriations. The bill has been available all during that time, and while I have no desire to rush the gentleman from Cambria into consideration of any legislation that is before this body, the sponsors of this bill are very desirous to send it over to the House, because we would like to have it passed this Session.

Mr. HALUSKA. It may be true that this bill was introduced in the early days of March, but certainly none of us pay too much attention to bills that are in Committee, not having any knowledge as to whether they are coming out of Committee. We have some 2,000 bills introduced in this Session, and I see no good reason why we should study all those bills.

As I said, I see no need for all this rush, but if the gentleman from Allegheny thinks it is so important and imperative that this bill pass today, I shall withdraw my objection.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 448, as follows:

An Act to further amend clause (b) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons

blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by permitting aged persons who are inmates of public institutions to receive assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day og May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United State shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

* * * * *

(b) Aged Persons An aged person is defined as one who (1) is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine is sixty-five years of age or more (2) resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a resident makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3) [is not at the time of receiving assistance an inmate of a public institution and (4)] has not conveyed or transferred his real or persons property of the value of five hundred dollars ($500.) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 453, on third reading, entitled:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervisors and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 463, as follows:

An Act authorizing and empowering the Secretary of Highways with the approval of the Governor to construct bridges and approaches thereto to connect State highways routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the construction thereof would lessen the distance between two points on separate State highway routes or traffic congestion would be relieved and the flow of traffic on State highways facilitated thereby or whenever any highway authorized to be laid out and taken over as a State highway crosses any stream or river or any stream or river and the facilities of any pub-

lic utility company the Secretary of Highways with the approval of the Governor is hereby authorized and empowered to construct bridges over streams or rivers or over streams or rivers and the facilities of public utility companies and to construct the necessary approaches and connecting roads thereto in or between cities of the second class second class A and third class boroughs incorporated towns or townships or in or between any two or more of such political subdivisions to join or connect two or more State highway routes or to carry a highway authorized to be laid out and taken over as a State highway across any stream or river or any stream or river and the facilities of any public utility company

Section 2 Whenever a bridge necessary approaches and connecting roads are to be constructed as herein provided the Secretary of Highways shall cause a plan thereof to be made showing the location and width thereof and the area of private property to be taken to effect the improvement and shall submit the same to the Governor for his approval after which the Secretary of Highways shall attach thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the property county or counties in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners All costs of recording shall be paid by the Department of Highways of the Commonwealth The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway or bridge purposes of all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as require for slopes

Section 3 Any damages occasioned in the taking of private property by the exercise of the right of eminent doman as herein provided shall be ascertained and paid as provided by the State Highway Law for the ascertainment and payment of damages for the widening or relocation of State highways in townships

Section 4 The Secretary of Highways may take over as a part of the system of State highways of the Commonwealth any existing road street or structure which may form or be a part of any bridge approach or connecting road to be constructed under the terms of this act Any bridge road or street constructed or taken over as herein provided shall thereafter be maintained by and at the expense of the Commonwealth subject to the laws governing maintenance occupancy or use of State highways and bridges

Section 5 It shall be lawful for the authorities of any political subdivision in or between which any bridge approach or connecting road is to be constructed as herein provided to enter into agreements with the Secretary of Highways for sharing the construction costs or sharing or paying the property damages involved Any monyes available to such political subdivisions for the payment of property damages or for the construction of highways and bridges shall be available for such purposes

Section 6 The Secretary of Highways is hereby authorized and empowered with the approval of the Governor to enter into agreements with any duly authorized State authority or agency whereby such authority or agency would construct or provide for the construction of such connecting bridges and approaches thereto under such terms and conditions as mutually would be agreed upon in accordance with law

Section 7 So much of the money in the Motor License Fund as may be necessary from time to time is hereby specifically appropriated to the Department of Highways for carrying out the provisions of the act or the terms of any agreement entered into pursuant thereto

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 497, on third reading, entitled:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I would like to announce for the benefit of the Members of the Senate, that con-

sideration of these bills will be taken up not eariler than Monday.

INTERROGATION

Mr. HALUSKA. Mr. President, I desire to interrogate the genteman flrom Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Mr. President, yesterday the gentleman from Allegheny asked that Senate Bills 497 and 498 go over in order, and he stated that they would come up Monday for final vote, is that correct?

Mr. WALKER. I think that that is correct, that is the expectation, Mr. President.

Mr. HALUSKA. Mr. President, a number of Members are missing today and they may be absent tomorrow. Would the gentleman from Allegheny object to making this a special order of business on Monday, to give them fair warning?

Mr. WALKER. Mr. President, I do not know whether the Members of the Senate will be ready on Monday to vote on these bills, but may I say to the Gentleman from Cambria, so that he does not misunderstand me, the bills will not be considered tomorrow.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 522 as follows:

An Act authorizing and directing the Department of Highways with the approval of the Governor to erect and maintain a bridge over the Susquehanna River connecting the State Highway system in Cumberland County with the system of State highways in Dauphin County and to provide the necessary approaches and connections with such State highways empowering counties to pay certain damages and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways with the approval of the Governor is hereby authorized and directed to erect and construct a bridge over the Susquehanna River connecting the State Highway System in Cumberland County with the system of State highways in Dauphin County and to acquire the necessary land for approaches thereto

Section 2 In the construction of said bridge and the approaches thereto and connections with existing State highways the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the location widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties or may be agreed upon in accordance with the laws relating to State highways

The Department of Highways shall have authority to make and carry out and to do every other act necessary to carry out the project herein authorized

Section 3 After the completion of such bridge and the approaches thereto they shall be reconstructed and maintained by the Department of Highways in accordance with present or future laws governing the reconstruction and maintenance of State highways

Section 4 So much of the money in the Motor License Fund from time to time as may be needed to carry out the provisions of this act but not in excess of five million five hundred thousand dollars ($5,500,000) is hereby specifically appropriated to the Department of Highways for such purposes

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 546, as follows:

An Act to repeal section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 578, as follows:

An Act to amend the act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 101) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by providing for the construction operation and maintenance of a turnpike extension from a point at or near Erie to connect with the Pennsylvania Turnpike

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two and clause (c) of section four of the act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 101) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" are hereby amended to read as follows

Section 2 In order to facilitate vehicular traffic between the eastern and western sections of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) is hereby authorized and empowered to construct operate and maintain [a turnpike] the turnpike extensions hereinafter designated at such location as shall be approved by the Governor and the Department of Highways [from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission under the provisions of said act to a point on the Western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia] together with connecting roads tunnels and bridges and to issue turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such construction

The turnpike extensions authorized hereby are

(1) From a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission under the provisions of said act to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia

(2) From a point at or near Erie to connect with the Pennsylvania Turnpike at such point as the turnpike commission may decide is the most feasible and practical for the further extension of the Pennsylvania Turnpike system

Section 4 The following words and terms shall have the following meanings

* * * * *

(c) The words "the turnpike" shall mean [the turnpike to be constructed as hereinafter provided from a point at or near Irwin in Westmoreland County the present western terminus of the turnpike heretofore constructed by said commission under the provisions of said act to a point at the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia] either or both of the turnpike extensions referred to in section two of this act and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I want to say to the Members of the Senate that I am voting in favor of this bill for two reasons. The first and foremost reason is based upon the fact that I believe that I can take a little of the credit for originally conceiving the idea of this par-

ticular piece of legislation, especially because I believe that it is the only method that can be employed for the construction of super speed roads in the Commonwealth of Pennsylvania without placing an undue burden upon the ordinary taxpayer.

Mr. President, I believe that the original turnpike from Irwin to Middlesex has proven to be a great engineering feat; it has also proven to those of us who were in at the beginning of the year of 1935, when the original turnpike was conceived, it was proven that our judgment at that time was right. We felt then that a great many persons who do not reside in the state of Pennsylvania are using Pennsylvania roads, and because of this great influx of out-of-state trucks and cars, Pennsylvania was in the position of needing a greater road system.

Mr. President, I understand from the Turnpike Commission that forty-eight cents out of every income dollar of the Pennsylvania Turnpike is derived from out-of-state trucks and cars; that being the case, there is every justification for the extension of the Turnpike. Early in the Session, in making a talk to the Senate, I said that I opposed the one cent gasoline tax increase, because of the fact that I felt that the money was going to be spent for super speed roads with restricted approaches, and felt that that type of road must of necessity be built from tolls; whereever we build a toll road that parallels a free road, we are not denying any citizens who pay the regular road taxes to the Commonwealth the services that they are paying for, but to those who want to travel on a more direct route and at a greater speed than what our law allows in the Commonwealth of Pennsylvania upon the regular road system, we are saying to them that for a certain fee they can use a high speed road.

Now, Mr. President, I am very very proud of the fact that in spite of the early criticism, I was part of the group that had the courage to put the Turnpike bill upon the statutes of Pennsylvania. I advanced the proposition early in the Session that we ought to study the possibilities of creating a Turnpike road from Erie onto the western terminus of the Pennsylvania Turnpike, and additional turnpike construction down to Pittsburgh, through Washington and down towards Wheeling, West Virginia, from the New York state line to the West Virginia state line. In that bill, Mr. President, I also asked for a complete study of the possibility of creating a turnpike from the New York state line down through Scranton and Wilkes-Barre, through Harrisburg, onto the present turnpike right of way, and then down towards Baltimore, Maryland, or between New York and Maryland. I also asked that the study contain within its scope the possibilities of the construction of a road from Erie through the Northern tier of the central part of Pennsylvania, to the present turnpike line in and around Harrisburg. I believe that if we do this, Mr. President, we will save the future generations of Pennsylvania untold millions of dollars which will have of necessity been spent by the Pennsylvania Highway Department to construct these necessary roads and to maintain the same.

Mr. President, I am not particularly anxious to congratulate the sponsorship of this particular bill as I find it upon the Calendar, because, although all of us state we do not have pride of authorship and do not care particularly about having our names engraved upon the legislation before us, there is a certain amount of vanity in all of us, and I confess to all of the noble weaknesses of the human race, but I am a little disappointed in that the gentleman from Erie found it convenient to get his hand into the cookie jar and come out with a taste of the sweetness and left the bitterness for the rest of us who sponsored the original bill.

Now, Mr. President, I say to Senator Blass, Senator Doehla and Senator Mahany, I am glad to see my bill go through with your names on it. I am sure, Mr. President, it will not matter much to the future generations of Pennsylvania who travel upon this road as to who sponsored the bill, and I am glad and happy to go along.

I just want to say, Mr. President, that if in the future I have any other brilliant ideas on legislation, I will consult the Majority side and ask if it is all right if I introduce the bill.

Mr. BLASS. Mr. President, I could not let this go unanswered, because I want the gentleman from Westmoreland to feel that we always invite his full and complete cooperation, and we are very thankful for it on this occasion. In fact, I did not have the slightest intention to overlook anybody because of the ideas he promulgated early in the Session. I very much welcomed the fact that he was contemplating a study of three great toll routes, but I did want this route constructed at the earliest possible moment, particularly this section, which will enable us to come from Erie to Harrisburg at least.

Therefore, Mr. President, I am very glad to say that I would welcome his co-sponsorship as well as the co-sponsorship of every colleague on the floor.

Mr. LANE. Mr. President, I wish to congratulate the distinguished Senator from Erie County, and I sincerely hope and trust that the passage of this legislation will greatly assist him in his candidacy for Lieutenant Governor.

The PRESIDENT. I am sure that the gentleman from Erie will take judicial notice of that remark.

Mr. LANE. However, Mr. President, I agree and yet I disagree with the sentiments which were expressed upon the floor here today, and I say to you that I for one am going to oppose the passage of this bill. I took the position in the early part of the Session that the vast expenditure of public funds at this particular time is unwarranted and unnecessary, and we are not giving the taxpayers a break, and I hope that the membership on both sides of the Senate will take this into consideration and express themselves when the bill is up for final passage here today.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
DiSilvestro,	Lord,	Snowden,	Wolfe,
Doehla,	Mahany,	Stevenson,	Wood, L. H.,
Donlan,	Mallery,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 654, on third reading, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 666, as follows:

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 3705 Composition of Board If council shall determine that the power to equip operate and maintain parks playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation centers shall be exercised by a recreation board they may establish in said city such recreation board which shall possess all the powers and be subject to all the responsibilities of council under this article Such board when established shall consist of five persons two of the members shall be members of the school board The board shall be appointed by the mayor with the approval of council and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 669, on third reading, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth.

go over in its order. May I say for the benefit of the Members of the Senate, that this bill will not be considered prior to Monday.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 683, as follows:

An Act to amend subsection A of section three point one and to add section three point two to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for joinder in existing authorities by additional municipalities and making provision for the amendment of articles of incorporation by an authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section three point one of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and

operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" is hereby amended to read as follows

Section 3.1 Municipalities Withdrawing from and Joining in Joint Authorities A Whenever an Authority has been incorporated by two or more municipalities any one or more of such municipalities may withdraw therefrom [and any municipality not having joined in the original incorporation may join in the Authority] but no municipality shall be permitted to withdraw from any Authority after any obligation has been incurred by the Authority Whenever an Authority has been incorporated by one or more municipalities any municipality not having joined in the original incorporation may subsequently join in the Authority

Any municipality wishing to withdraw from or to become a member of an existing Authority shall signify its desire by resolution or ordinance If the Authority shall by resolution express its consent to such withdrawal or joining the municipal authorities of the withdrawing or joining municipality shall cause a notice of its resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which the Authority is organized and at least one time in a newspaper published and of general circulation in such county or counties Such notice shall contain a brief statement of the substance of the resolution or ordinance making reference to this act and shall state that on a day certain not less than three days after publication of the notice an application to withdraw from or to become a member of the Authority as the case may be will be filed with the Secretary of the Commonwealth

Section 2 Said act is hereby amended by adding immediately following section three point one a new section to read as follows

Section 3.2 Amendment of Articles A An Authority in the manner hereinafter provided may from time to time amend its articles

(1) To adopt a new name

(2) To modify any provisions thereof limiting its term of existence by increasing such term

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

B Every amendment to the articles shall first be proposed by the board by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to the governing authorities of the municipality or municipalities composing the Authority The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provisions thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles After the amendments have been submitted to the municipality or municipalities such municipality or municipalities shall adopt or reject such amendment by resolution or ordinance

C After an amendment has been adopted by the municipality or municipalities articles of amendment shall be executed under the seal of the Authority and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the Authority

(2) The act of Assembly under which the Authority was formed and the date when and the place where the original articles were recorded

(3) The resolution or ordinance of the municipality or municipalities adopting the amendment

(4) The amendment adopted by the municipality or municipalities which shall be set forth in full

D The Authority shall advertise its intention to file articles of amendment with the Secretary of the Commonwealth in the manner prescribed in section three of this act in the case of the formation of an Authority Advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Secretary of the Commonwealth and shall set forth briefly

(1) The name and location of the registered office of the Authority

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Secretary of the Commonwealth

E The articles of amendment and proof of the advertisement heretofore required shall be delivered by the Authority or its representative to the Secretary of the Commonwealth If the Secretary of the Commonwealth finds that such articles conform to law he shall forthwith but not prior to the day specified in the advertisement required heretofore endorse his approval thereon and when all fees and charges have been paid shall file the articles and issue to the Authority or its representative a certificates of amendment to which shall be attached a copy of the approved articles

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Haluska,	Meade,	Tarr,
Barrett,	Hare,	Neff,	Taylor,
Berger,	Holland,	Peehan,	Toole,
Blass,	Homsher,	Peelor,	Wade,
Crowe,	Kephart,	Robinson,	Wagner,
Dent,	Lane,	Rosenfeld,	Walker,
Diehm,	Leader,	Ruth,	Watkins,
DiSilvestro,	Letzler,	Scarlett,	Watson,
Doehla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Farrell,	Mallery,	Stiefel,	Wood, T. N.,
Frazier,	McPherson, Jr.,	Tallman,	Yosko,
Geltz.			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 795, as follows:

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond

removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries

TABLE OF CONTENTS

ARTICLE I

PRELIMINARY PROVISIONS

Page

Section 101 Short Title ....
Section 102 Definitions ....
Section 103 Title to Personal Estate ....
Section 104 Title to Real Estate ....
Section 105 Effective Date ....
(1) Decedent's Estates ....
(2) Trust Estates ....
(3) Minors ....
Section 106 Severability ....

ARTICLE II

DISPOSITIONS INDEPENDENT OF LETTERS

A Wages or Salary Small Estates

Section 201 Payment of Wages or Salary to Family ....
Section 202 Settlement of Small Estates on Petition ....

B Family Exemption

Section 211 When Allowable ....
Section 212 Payment or Delivery of Exemption .
(a) Items Claimed ....
(b) Property Set Aside for Minors ....
(c) Control of Court ....
Section 213 Payment from Real Estate ....
(a) Appraisement ....
(b) Real Estate Valued at More than Amount Claimed ....
(c) Payment of Surplus ....
(b) Recording and Registering Decrees ....
(e) Costs and Expenses ....
Section 214 Income ....
Section 215 Other Remedies ....
Section 216 Grantee or Lienholder ....
(a) Rights Accruing Before Death Purchase Money Obligation ....
(b) Rights Accruing After Death ....

ARTICLE III

PERSONAL REPRESENTATIVE APPOINTMENT BOND REMOVAL AND DISCHARGE

A Grant of Letters

Section 301 Proper County ....
Section 302 When Twenty-one Years Elapsed ...
Section 303 Contents of Petition ....
Section 304 Affidavit ....
Section 305 Persons Entitled ....
(a) Letters Testamentary ....
(b) Letters of Administration ....
(c) Time Limitation ....
Section 306 Persons Not Qualified ....
Section 307 Nonresidents ....
(a) Discretion of Register ....
(b) Power of Attorney ....
Section 308 Letters of Administration c t a ....
Section 309 Letters of Administration d b n or d b n c t a ....

Page

Section 310 Letters of fAdministration Durante Minoritate Durante Absentia and Pendente Lite ....
Section 311 Oath of Personal Representative ....

B Bond

Section 321 Individual Estate ....
(1) When One Personal Representative ....
(2) When Two or More Personal Representatives ....
Section 322 Fiduciary Estate ....
(1) When One Personal Representative ....
(2) When Two or More Personal Representatives ....
Section 323 When Not Required ....
(a) Corporate Personal Representative ....
(b) Resident Executor ....
(c) Nonresident Executor ....
Section 324 Requiring or Changing Amount of Bond ....

C Removal and Discharge

Section 331 Grounds for Removal ....
Section 332 Procedure for and Effect of Removal
Section 333 Discharge of Personal Representative and Surety ....

ARTICLE IV

INVENTORY AND APPRAISEMENT

Section 401 Duty of Personal Representative ...
(a) General Assets ....
(b) Real Estate Outside of Commonwealth ..
Section 402 Valuations Appraisers ....
Section 403 Supplemental Inventory ....
Section 404 Claims Against Personal Representative ....

ARTICLE V

PERSONAL REPRESENTATIVES POWERS DUTIES AND LIABILITIES

A In General

Section 501 Possession of Real and Personal Estate Exception ....
Section 502 Renunciation of Right to Administer Property ....
Section 503 Liability Insurance ....
Section 504 Continuation of Business ....
Section 505 Incorporation of Decedent's Business
Section 506 Investment of Funds ....
Section 507 Claims Against Co-fiduciary ....
Section 508 Revival of Judgments Against Personal Representative ....
Section 509 Power of Attorney ....
Section 510 Voting Stock by Proxy ....
Section 511 Nominee Registration Corporate Fiduciary as Attorney-in-Fact ....
(a) Corporate Personal Representative ....
(b) Individual Personal Representative ....
(c) Corporate Fiduciary as Attorney-in-Fact .
Section 512 Acceptance of Deed in Lieu of Foreclosure ....
Section 513 Compromise of Controversies ....
Section 514 Death of Fiduciary ....
Section 515 Incompetence of Personal Representative ....
Section 516 Administrator c t a ....
Section 517 Administrator d b n and d b n c t a
Section 518 Surviving or Remaining Personal Representative ....
Section 519 Disagreement of Personal Representatives ....
(a) Decision of Majority ....
(b) When No Majority ....
Section 520 Effect of Revocation of Letters Probate of Will Later Will or Codicil

Page

Section 521 Notice of Devise or Bequest to Corporation or Association .....
Section 522 Liability of Personal Representative on Contracts .....
Section 523 Inherent Powers and Duties .....
B Sales Pledges Mortgages Leases Options Exchanges
Section 541 Powers to Sell .....
Section 542 Power to Lease .....
Section 543 Order of Court .....
Section 544 Power Given in Will .....
Section 545 Restraint of Sale .....
Section 546 Purchase by Personal Representative
Section 547 Title of Purchaser .....
Section 548 Collateral Attack .....
Section 549 Record of Proceedings County Where Real Estate Lies .....

ARTICLE VI

PROPERTY RIGHTS AND OBLIGATIONS OF ESTATES OF DECEDENTS

A Abatement Survival and Control of Actions

Section 601 Actions Which Survive .....
Section 602 Substitution of Personal Representative in Pending Act or Proceedings ....
(a) Voluntary Substitution .....
(b) Compulsory Substitution .....
(c) Service of Rule .....
(d) Status of Personal Representative Continuance .....
Section 603 Action By or Against Personal Representative .....
Section 604 Death or Removal of Fiduciary ....
Section 605 Abatement of Action for Failure to Take Out Letters .....
Section 606 Limitations Against Debt Due Estate
Section 607 Execution on Judgments .....
(a) When Prohibited .....
(b) When Allowed .....

B Claims Charges Rights of Creditors

Section 611 Liens and Charges Existing at Death Not Impaired .....
Section 612 Judgments Which Are Liens at Death
Section 613 Statutes of Limitations Claims Not Barred at Death .....
Section 614 Notice of Claim .....
(a) Written Notice .....
(b) Acts Equivalent to Written Notice .....
Section 615 Limitation Upon Claims .....
Section 616 Failure to Present Claim at Audit ..
Section 617 Claims Not Due Certain to Become Due .....
Section 618 Claims Not Certain to Become Due ..
Section 619 Claims Subject to Litigation in Other Courts .....
Section 620 Specific Performance of Contracts ..
(a) Application to Court .....
(b) Execution and Effect of Deed or Transfer
(c) Indexing in Judgment Index .....
Section 621 Proceeding Against Personal Representative .....
(1) When Resident of Another County .....
(2) When a Nonresident of the Commonwealth .....
Section 622 Classification and Order of Payment
Section 623 Notice to Commonwealth and Political Subdivisions .....

Article VII

Accounting and Distribution in Decedents' Estates

A Accounts

Section 701 Accounting Required .....
Section 702 Where Filed .....
Section 703 Notice to Parties in Interest .....
Section 704 Representation of Parties in Interest

Page

B Audits

Section 711 Audits in Counties Having Separate Orphans' Court .....
Section 712 Audits in Counties Having No Separate Orphans' Court .....
Section 713 Statement of Proposed Distribution..
Section 714 Confirmation of Account and Approval of Proposed Distribution .....

C Review

Section 721 Rehearing Relief Granted .....

D Distribution

Section 731 Estates Not Exceeding One Thousand Dollars .....
Section 732 At Risk of Personal Representative
Section 733 Award Upon Final Confirmation of Account .....
Section 734 Distribution in Kind .....
Section 735 Delivery of Possession of Real Estate
Section 736 Recording and Registering Decrees Awarding Real Estate .....

E Rights of Distributees

Section 751 Order of Abatement .....
(a) General Rules .....
(b) Demonstrative Legacies .....
Section 752 Contribution .....
Section 753 Interest or Income on Distributive Shares .....
(a) Pecuniary Legacy .....
(b) Specific Legacy or Devise .....
(c) Demonstrative Legacy .....
(d) Residuary Legacy or Devise .....
(e) Future Date .....
(f) Relationship .....
(g) Testamentary Provisions .....
Section 754 Liability of Personal Representative for Interest .....
Section 755 Transcripts of Balances Due by Personal Representative .....
(a) Filing in Common Pleas .....
(b) Satisfaction and Discharge .....
Section 756 Determination of Title to Decedent's Interest in Real Estate .....

Article VIII

Legacies Annuities and Other Charges

Section 801 Enforcement of Payment .....
Section 802 Discharge of Portion of Property from Charges Payable in the Future ..
Section 803 Discharge of Property from Lien of Charge .....
(a) Payment into Court .....
(b) Distribution of Moneys Paid into Court ..
Section 804 Presumption of Payment Release or Extinguishment .....
(a) Lapse of Twenty Years .....
(b) Perpetuation of Evidence .....
(c) Renewal of Evidence Every Twenty Years
(d) Irrecoverable After Twenty Years .....
(e) Retroactive Application .....

Article IX

Trust Estates

A Appointment of Trustees

Section 901 To Fill Vacancy .....
Section 902 Nonresident Trustee .....
Section 903 Resident Co-Trustee .....

B Bond of Trustees

Section 911 Necessity Form and Amount .....
(a) When Required .....
(b) When Not Required .....

Page

(1) When Named in or Provided for in Trust Instrument .....
(2) Corporate Trustee .....
(c) Condition .....
(1) When One Trustee .....
(2) When Two or More Trustees .....
Section 912 Requiring or Changing Amount of Bond .....

C Removal and Discharge

Section 921 Grounds and Procedure .....

D Powers Duties and Liabilities of Trustees

Section 931 Possession of Real and Personal Property .....
Section 932 Abandonment of Property .....
Section 933 Liability Insurance .....
Section 934 Continuation of Business .....
Section 935 Incorporation of Business .....
Section 936 Claims Against Co-Trustee .....
Section 937 Proceeding Against Trustee .....
(1) When Resident of Another County .....
(2) When a Nonresident of the Commonwealth
Section 938 Revival of Judgments Against Trustee
Section 939 Liability of Trustee on Contracts ..
Section 940 Investments .....
Section 941 Power of Attorney .....
Section 942 Voting Stock by Proxy .....
Section 943 Nominee Registration Corporate Fiduciary as Attorney-in-Fact .....
(a) Corporate Trustee .....
(b) Individual Trustee .....
(c) Corporate Fiduciary as Attorney-in-Fact
Section 944 Acceptance of Deed in Lieu of Foreclosure .....
Section 945 Compromise of Controversies .....
Section 946 When Trustee Dies or Becomes Incompetent .....
Section 947 Substituted or Succeeding Trustee ..
Section 948 Surviving or Remaining Trustees ..
Section 949 Disagreement Among Trustees .....
(a) Decision of Majority .....
(b) When No Majority .....
Section 950 Effect of Removal or of Probate of Later Will or Codicil .....
Section 951 Inherent Powers and Duties .....

E Sales Pledges Mortgages Leases Options and Exchanges

Section 961 Power to Sell .....
Section 962 Power to Lease .....
Section 963 Order of Court .....
Section 964 Power in the Trust Instrument ....
Section 965 Restraint of Sale .....
Section 966 Purchase by Trustee .....
Section 967 Title of Purchaser .....
Section 968 Collateral Attack .....
Section 969 Record of Proceedings County Where Real Estate Lies .....

F Accounts Audits Reviews Distribution

Section 981 When Account Filed .....
Section 982 Where Accounts Filed .....
Section 983 Notice Audits Reviews and Distribution .....
Section 984 Disposition of Minor's Income .....

G Separation and Combination of Trusts

Section 991 Separate Trusts .....
Section 992 Combination of Trusts .....

Article X

Minors

A Small Estates

Section 1001 When Guardian Unnecessary .....
(1) Award from Decedent's Estate or Trust ..
(2) Interest in Real Estate .....
(3) Other Circumstances .....
Section 1002 Power of Natural Guardian .....

B Appointment of Guardian

Section 1011 County of Appointment .....
(a) Resident Minor .....
(b) Nonresident Minor .....
(c) Exclusiveness of Appointment .....
Section 1012 Persons Not Qualified to Be Appointed by the Court .....
Section 1013 Persons Preferred in Appointment ..
Section 1014 Nonresident Guardian .....

C Bond

Section 1021 Necessity Form and Amount .....
(1) When One Guardian .....
(2) When Two or More Guardians .....
Section 1022 When Bond Not Required .....
(a) Guardian Named in Conveyance .....
(b) Corporate Guardian .....
(c) Nonresident Corporation .....
(d) Other Cases .....
Section 1023 Requiring or Changing Amount of Bond .....

D Removal and Discharge

Section 1031 Grounds and Procedure .....

E Powers Duties and Liabilities in General

Section 1041 Possession of Real and Personal Property .....
Section 1042 Inventory .....
Section 1043 Those Identical with Trustees .....
Section 1044 Inherent Powers and Duties .....
Section 1045 Guardian Named in Conveyance ....
(a) In General .....
(b) Substituted or Succeeding Guardian .....
(c) Effect of Removal or of Probate of Later Will or Codicil .....

F Sales Pledges Mortgages Leases Options and Exchanges

Section 1061 Power to Sell Personal Property ....
Section 1062 Power to Lease .....
Section 1063 Order of Court .....
Section 1064 Restraint of Sale .....
Section 1065 Purchase by Guardian .....
Section 1066 Title of Purchaser .....
Section 1067 Collateral Attack .....
Section 1068 Record of Proceedings County Where Real Estate Lies .....

G Accounts Audits Reviews Distribution

Section 1081 When Accounting Filed .....
Section 1082 Where Accounts Filed .....
Section 1083 Notice Audits Reviews and Distribution .....
Section 1084 Distributions for Support and Education .....
Section 1085 Notice to Guardian or Guardian Ad Litem .....
Section 1086 Death of Minor .....

Article XI

Foreign Fiduciaries

A Powers and Duties

Section 1101 In General .....
(1) Copy of Appointment .....
(2) Affidavit .....
(3) Time Limitation .....
(4) Taxes .....
Section 1102 Stock Transfers .....
Section 1103 Service of Process .....
Section 1104 Proof of Authority in Court Proceedings .....

Page

Section 1105 Effect of Local Proceedings .....

B Distributions to Foreign Fiduciaries

Section 1111 To Foreign Personal Representative
Section 1112 To Foreign Trustee Guardian or Committee .....

C Transfer of Administration

Section 1121 Award to Foreign Guardian When Minor Becomes a Nonresident .....

Article XII

Absentees and Presumed Decedents

Section 1201 Proof of Death .....
(a) Finding of Death .....
(b) Presumption from Absence .....
(c) Exposure to Specific Peril .....
(d) Competency of Witnesses .....
Section 1202 Trustee for Absentee .....
(a) Appointment .....
(b) Bonds Powers Duties and Liabilities ....
(c) Temporary Trustee .....
Section 1203 Distribution of Property of Absentee
Section 1204 Notice to Absentee .....
Section 1205 Search for Absentee .....

Article XIII

Sureties

A Rights in Administration

Section 1301 Agreement Concerning Deposit of Assets .....
Section 1302 Notice .....
Section 1303 Participation in Administration ....
Section 1304 Information from Fiduciary-Accounting .....
Section 1305 Release of Surety Before Discharge of Fiduciary .....

B Enforcement of Bond

Section 1311 Suits on Bonds .....
Section 1312 Nonresident Surety .....

Article XIV

Repealer

Section 1401 .....
(a) Specific Repeals .....
(b) General Repeal .....
(c) Saving Clause .....

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This Act shall be known and may be cited as the Fiduciaries Act of 1949

Section 102 Definitions The following words when used in this Act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Clerk" means the clerk of the orphans' court having jurisdiction

(2) "Court" means the orphans' court having jurisdiction

(3) "Fiduciary" includes personal representatives guardians and trustees whether domiciliary or ancillary individual or corporate subject to the jurisdiction of the orphans' court

(4) "Personal representative" means an executor or administrator of any description

(5) "Register" means the register of wills having jurisdiction to grant letters testamentary or of administration

(6) "Trust" means any trust whether testamentary or inter vivos subject to the jurisdiction of the orphans' court

(7) "Foreign fiduciary" means a personal representative guardian of a minor or testamentary trustee appointed under the laws of the jurisdiction in which the decedent was domiciled at the time of his death or in which the minor is domiciled and not also appointed under the laws of the Commonwealth

Section 103 Title to Personal Estate Legal title to all personal estate of a decedent shall pass at his death to his personal representative if any as of the date of his death

Section 104 Title to Real Estate Legal title to all real estate of a decedent shall pass at his death to his heirs or devisees subject however to all the powers granted to the personal representative by this Act and lawfully by the will and to all orders of the court

Section 105 Effective Date This Act shall take effect on the first day of January one thousand nine hundred and fifty subject to the following exceptions

(1) Decedents' Estates All sections of Articles I to VII both inclusive shall apply only to the estates of decedents dying on or after that day and as to the estates of persons dying before that day the existing laws on the topics included within those sections shall remain in effect

(2) Trust Estates Section 949 entitled "Disagreement Among Trustees" 961 entitled "Power to Sell 963 entitled "Order of Court" insofar as it authorizes the court to approve the grant of an option and 984 entitled "Disposition of Minors Income" shall apply to testamentary trusts and irrevocable trusts only if becoming effective on or after that day but shall apply to revocable trusts whenever created As to testamentary trusts and irrevocable trusts effective before that day the existing laws on the topics included within such sections or designated portions thereof shall remain in effect

(3) Minors Subsection (a) of Section 1045 entitled "Guardian Named in Conveyance" shall apply only to guardians named in wills irrevocable trusts or other irrevocable instruments becoming effective on or after that day but shall apply to revocable trusts or designations whenever created or made As to guardians appointed by wills irrevocable trusts or other irrevocable instruments effective before that day the existing laws on the topics included within subsection (a) of Section 1045 shall remain in effect

Section 106 Severability If any provision of this Act or the application thereof to any person or circumstances is held invalid the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this Act are declared to be severable

Article II

Dispositions Independent of Letters

A Wages or Salary Small Estates

Section 201 Payment of Wages or Salary to Family Any employer of a person dying domiciled in the Commonwealth at any time after the death of the employee whether or not a personal representative has been appointed may pay wages or salary in an amount not exceeding two hundred and fifty dollars due to the deceased employee to the spouse any child the father or mother or any sister or brother (preference being given in the order named) of the deceased employee Any employer making such a payment shall be released to the same extent as if payment had been made to a duly appointed personal representative of the decedent and he shall not be required to see to the application thereof Any person to whom payment is made shall be answerable therefor to anyone prejudiced by an improper distribution

Section 202 Settlement of Small Estates on Petition When any person dies domiciled in the Commonwealth owning property (exclusive of real estate and of wages or salary payable under Section 201 but including personal property claimed as the family exemption) of a gross value not exceeding one thousand dollars the orphans' court of the county wherein the decedent was domiciled at the time of his death upon petition of any

party in interest in its discretion with or without appraisement and with such notice as the court shall direct and whether or not letters have been issued or a will probated may direct distribution of the property (including wages or salary not paid under Section 201) to the parties entitled thereto The decree of distribution so made shall constitute sufficient authority to all transfer agents registrars and others dealing with the property of the estate to recognize the persons named therein as entitled to receive the property to be distributed without administration and shall in all respects have the same effect as a decree of distribution after an accounting by a personal representative Within one year after such a decree of distribution has been made any party in interest may file a petition to revoke it because an improper distribution has been ordered If the court shall find that an improper distribution has been ordered it shall revoke the decree and shall direct restitution as equity and justice shall require

B Family Exemption

Section 211 When Allowable The spouse of any decedent dying domiciled in the Commonwealth and if there be no spouse or if he has forfeited his rights then such children as form a part of the decedent's household may retain or claim as an exemption and as a reasonable requirement for support during the settlement of the estate either real or personal property or both not theretofore sold by the personal representative to the value of seven hundred and fifty dollars The surviving husband or wife shall be a competent witness as to all matters pertinent to the issue of forfeiture of the right to the exemption

Section 212 Payment or Delivery of Exemption

(a) Items Claimed The personal representative if any shall deliver to the spouse or children the items of personal property claimed as the exemption at the values fixed by the inventory and appraisement

(b) Property Set Aside for Minors When any spouse or child entitled to all or part of the exemption is a minor the guardian of his estate and if no such guardian has been appointed then the personal representative without request made to him by anyone shall select for the use and benefit of the minor real or personal property to the full value to which he is entitled and in so doing the guardian or personal representative shall be governed by the necessities of the minor under the circumstances of each case

(c) Control of Court On petition of any party in interest the court with or without appraisal and on such notice as it shall direct may control the distribution and the valuation of articles of personal property retained or claimed

Section 213 Payment from Real Estate

(a) Appraisement If the exemption is claimed in whole or in part out of real estate the appraisement of the real estate shall be made by two appraisers appointed by the court upon petition and after such notice as the court shall direct The orphans' court of the county where letters testamentary or of administration have been granted or should no letters have been granted then of the county within which was the family or principal residence of the decedent shall have jurisdiction concerning the exemption whether the real estate is situate in that county or in any other county of the Commonwealth When real estate is located outside of the county of original jurisdiction the orphans' court of the county of original jurisdiction may in its discretion direct that an application for the appointment of appraisers shall be made to the orphans' court of the county in which the real estate is located The appraisers so appointed shall fix the value of the real estate as of the date of presenting the petition for their appointment and shall receive such compensation as shall be allowed by the court appointing them Exceptions to appraisements shall be filed with the court of original jurisdiction which may in its discretion refer the exceptions to the orphans' court of the county in which the real estate is located Upon compliance with such requirements of notice as the court shall direct the court of original jurisdiction may confirm the appraisement and set apart the real estate to the surviving spouse child or children entitled thereto

(b) Real Estate Valued at More than Amount Claimed When the real estate of the decedent cannot be divided so as to set apart the amount claimed without prejudice to or spoiling the whole or any parcel of it and the appraisers shall value such real estate or parcel thereof at any sum exceeding the amount claimed it shall be lawful for the orphans' court of original jurisdiction to confirm the appraisement and to set apart such real estate or parcel thereof for the use of the surviving spouse child or children conditioned however that the surviving spouse childr or children shall pay the amount of the valuation in excess of the amount claimed without interest within six months from the date of confirmation of the appraisement If the surviving sopuse child or children shall refuse to take the real estate or parcel thereof at the appraisement or shall fail to make payment as provided above the court on application of any party in interest may direct the personal representative or a trustee appointed by the court to sell the same and the sale in such case shall be upon such terms and security as the court shall direct

(c) Payment of Surplus The real estate if taken by the surviving spouse child or children shall vest in him or them upon his or their payment of the surplus above so much of the exemption as shall be claimed out of the real estate to the parties entitled thereto or to the personal representative of the decedent as the court in its discretion shall direct If the real estate is sold so much of the exemption as shall be claimed out of it shall be paid out of the purchase money to the surviving spouse child or children entitled thereto and the balance after payment of costs shall be distributed to the parties entitled thereto or to the personal representative of the decedent as the court in its discretion shall direct

(d) Recording and Registering Decrees A certified copy of every decree confirming an appraisement of real estate and setting it apart to the surviving spouse child or children shall be recorded in the deed book in the office of the recorder of deeds of each county where the real estate shall lie shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantee's index under the name of such surviving spouse child or children and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county Provided that no decree conditioned upon payment of any surplus by the surviving spouse child or children shall be recorded or registered unless there is offered for recording concurrently therewith written evidence of the payment of such surplus

(e) Costs and Expenses All costs appraisers' fees and expenses of recording and registering incurred in claiming the exemption shall be part of the general administration expenses of the estate

Section 214 Income When the family exemption does not exhaust the entire real and personal estate the income of the estate shall be equitably prorated among the surviving spouse child or children and the others taking the estate

Section 215 Other Remedies The surviving spouse child or children may also collect the exemption out of real and personal estate together with income thereon in the manner provided by law for the collection of legacies

Section 216 Grantee or Lienholder

(a) Rights Accruing Before Death Purchase Money Obligation Nothing in this article shall be construed as impairing any lien existing at death for the purchase money of real estate

(b) Rights Accruing After Death A decree setting apart a family exemption shall be void as against a subsequent bona fide grantee of or holder of a lien on real estate unless the decree granting the exemption from real estate or a duplicate original or certified copy thereof is recorded in the deed book in the office of the recorder of deeds in the county in which the real estate lies within one year after the death of the decedent or if thereafter

then before the recording or entering of the instrument or lien under which such grantee or lienholder claims

Article III

Personal Representative Appointment Bond

Removal and Discharge

A Grant of Letters

Section 301 Proper County Letters testamentary or of administration on the estate of a decedent domiciled in the Commonwealth at the time of his death shall be granted only by the register of the county where the decedent had his last family or principal residence If the decedent had no such domicile in the Commonwealth letters testamentary or of administration may be granted by the register of any county wherein property of the estate shall be located and when granted shall be exclusive throughout the Commonwealth

Section 302 When Twenty-one Years Elapsed Letters testamentary or of administration shall not be granted after the expiration of twenty-one years from the decedent's death except on the order of the court upon cause shown

Section 303 Contents of Petition A petition for the grant of letters testamentary or of administration shall state under oath so far as they are known

(1) The decedent's name age state or county of domicile his last family or principal residence and the place day and hour of his death

(2) If the decedent died intestate the name and residence address of the surviving spouse if any and the names relationships and residence addresses of other heirs

(3) If the decedent died testate whether he has married or any child has been born to or adopted by him since the execution of the will

(4) If the decedent was domiciled in the Commonwealth at the time of his death the estimated value of all his personal property and the estimated value and the location of his real property situated in the Commonwealth

(5) If the decedent was not domiciled in the Commonwealth at the time of his death the estimated value of his personal property in the Commonwealth the estimated value of his personal property in the county in which the petition is filed and the estimated value and location of his real property in the Commonwealth

(6) The name and residence address of each person to whom letters are requested to be granted

(7) Any other facts necessary to entitle the petitioner to letters

Section 304 Affidavit The affidavit to a petition for the grant of letters may be taken before the register of any county of the Commonwealth

Section 305 Persons Entitled

(a) Letters Testamentary Letters testamentary shall be granted by the register to the executor designated in the will whether or not he has declined a trust under the will

(b) Letters of Administration Letters of administration shall be granted by the register in such form as the case shall require to one or more of those hereinafter mentioned and except for good cause in the following order

(1) Those entitled to the residuary estate under the will

(2) The surviving spouse

(3) Those entitled under the intestate law as the register in his discretion shall judge will best administer the estate giving preference however according to the sizes of the shares of those in this class

(4) The principal creditors of the estate

(5) Other fit persons

(6) If anyone of the foregoing shall renounce his right to letters of administration the register in his discretion may appoint a nominee of the person so renouncing in preference to the persons set forth in any succeeding clause

(c) Time Limitation Except with the consent of those enumerated in clauses (1) (2) and (3) no letters shall be issued to those enumerated in clauses (4) and (5) of subsection (b) until seven days after the decedent's death

Section 306 Persons Not Qualified No person shall be qualified to serve as personal representative who is

(1) Under twenty-one years of age

(2) A corporation not authorized to act as fiduciary in the Commonwealth

(3) A person other than an executor designated by name or description in the will found by the register to be unfit to be entrusted with the administration of the estate

Section 307 Nonresidents

(a) Discretion of Register The register shall have discretion to refuse letters of administration to any individual not a resident of the Commonwealth

(b) Power of Attorney If a personal representative is or becomes a nonresident of the Commonwealth the acceptance of his letters or the act of becoming a nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made as to all causes of action relating to the decedent or the administration of his estate

Section 308 Letters of Administration cta When there is a will but no executor qualifies letters of administration cum testamento annexo may be granted to the person or persons entitled thereto

Section 309 Letters of Administration dbn or dbn cta When an entire vacancy occurs in the office of personal representative before administration is completed the register in a case of intestacy shall grant letters of administration de bonis non and in a case of testacy letters de bonis non cum testamento annexo to the person or persons entitled thereto

Section 310 Letters of Administration Durante Minoritate Durante Absentia and Pendente Lite Whenever the circumstances of the case require letters of administration durante minoritate durante absentia or pendente lite may be granted to any fit person or persons after such notice if any as the register shall require

Section 311 Oath of Personal Representative Before letters shall be granted to a personal representative by the register the personal representative shall swear that he will well and truly administer the estate according to law The oath of a corporate personal representative may be taken by any of its officers

B Bond

Section 321 Individual Estate Except as hereinafter provided before letters shall be granted to any personal representative he shall execute and file a bond which shall be in the name of the Commonwealth with sufficient surety in such amount as the register considers necessary having regard to the value of the personal estate which will come into the control of the personal representative and conditioned in the following form

(1) When One Personal Representative The condition of this obligation is that if the said personal representative shall well and truly administer the estate according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Personal Representatives The condition of this obligation is that if the said personal representatives or any of them shall well and truly administer the estate according to law this obligation shall be void as to the personal representative or representatives who shall so administer the estate but otherwise it shall remain in force

Section 322 Fiduciary Estate The register in his discretion upon the application of any party in interest in addition to any bond required for the decedent's individual estate may require a separate bond in the name of the Commonwealth with sufficient surety in such amount as the register shall consider necessary for the protection of the parties in interest in an estate of which the decedent was a fiduciary and conditioned in the following form

(1) When One Personal Representative The condition of this obligation is that if the said personal representative shall well and truly account for property held by the decedent as fiduciary according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Personal Representatives The condition of this obligation is that if the said personal representatives or any of them shall well and truly account for property held by the decedent as fiduciary according to law this obligation shall be void as to the personal representative or representatives who shall so account but otherwise it shall remain in force

Section 323 When Not Required

(a) Corporate Personal Representative No bond shall be required of a bank and trust company or of a trust company incorporated in the Commonwealth or of a national bank having its principal office in the Commonwealth or in the discretion of the register of a foreign corporation or of a national bank having its principal office out of the Commonwealth otherwise qualified to act

(b) Resident Executor No bond shall be required of an individual executor who is a resident of the Commonwealth unless it is required by the will or is ordered by the court

(c) Nonresident Executor No bond shall be required of an individual executor not a resident of the Commonwealth who has been excused from filing a bond by express direction of the testator in his will unless the register for cause deems it necessary in which event the register in fixing the amount of the bond shall have regard to all the circumstances including the amount of transfer inheritance tax and estate tax due the Commonwealth and the amount of the decedent's debts

Section 324 Requiring or Changing Amount of Bond The court upon cause shown and after such notice if any as it shall direct may require a surety bond or increase or decrease the amount of an existing bond or require more or less security therefor

C Removal and Discharge

Section 331 Grounds for Removal The court shall have exclusive power to remove a personal representative when he

(1) is wasting or mismanaging the estate is or is likely to become insolvent or has failed to perform any duty imposed by law or

(2) has been adjudged a lunatic a habitual drunkard or a weakminded person or

(3) has become incompetent to dscharge the duties of his office because of sickness or physical or mental incapacity and his incompetency is likely to continue to the injury of the estate or

(4) has removed from the Commonwealth or has ceased to have a known place of residence therein without furnishing such security or additional security as the court shall direct or

(5) when for any other reason the interests of the estate are likely to be jeopardized by his continuance in office

Section 332 Procedure for and Effect of Removal The court on its own motion may and on the petition of any party in interest alleging adequate grounds for removal shall order the personal representative to appear and show cause why he should not be removed or when necessary to protect the rights of creditors or parties in interest may summarily remove him Upon removal the court may direct the grant of new letters testamentary or of administration by the register to the person entitled and may by summary attachment of the person or other appropriate orders provide for the security and delivery of the assets of the estate together with all books accounts and papers relating thereto Any personal representative summarily removed under the provisions of this section may apply by petition to have the decree of removal vacated and to be reinstated and if the court shall vacate the decree of removal and reinstate him it shall thereupon make any orders which may be appropriate to accomplish the reinstatement

Section 333 Discharge of Personal Representative and Surety After confirmation of his final account and distribution to the parties entitled a personal representative and his surety may be discharged by the court from future liability The court may discharge only the surety from future liability allowing the personal representative to continue without surety upon condition that no further assets shall come into the control of the personal representative until he files another bond with sufficient surety as required by the register

Article IV

Inventory and Appraisement

Section 401 Duty of Personal Representative

(a) General Assets Within three months after his appointment every personal representative shall file with the register an inventory and appraisement verified by his affidavit of all real and personal estate of the decedent except real estate outside of the Commonwealth provided that an ancillary personal representative shall include therein only assets for which he is responsible

(b) Real Estate Outside of Commonwealth The inventory shall include at the end a memorandum of real estate outside of the Commonwealth The memorandum at the election of the personal representative may indicate the value of each item of real estate included therein but the values so fixed shall not be extended into the total of the inventory or included as real estate in subsequent accountings

Section 402 Valuations Appraisers The personal representative shall determine and state in figures opposite each item of the inventory its fair value as of the date of the decedent's death based upon a just appraisement of each item made by two or more appraisers who shall be sworn well and truly and without prejudice or partiality to appraise the assets of the estate to the best of their skill and judgment

Section 403 Supplemental Inventory Whenever any property not included in the inventory and appraisement comes to the knowledge of the personal representative he shall file within thirty days of its discovery a supplementary inventory and appraisement thereof with the register

Section 404 Claims Against Personal Representative The appointment of a personal representative shall not operate as a discharge or bequest of any debt which he owes the decedent or of any claim which the decedent had against him but any such debt or claim if it survives shall be included in the inventory

Article V

Personal Representatives Powers Duties and Liabilities

A In General

Section 501 Possession of Real and Personal Estate Exception A personal representative shall have the right to and shall take possession of maintain and administer all the real and personal estate of the decedent except real estate occupied by an heir or devisee He shall collect the rents and income from each asset in his possession until it is sold or distributed and during the administration of the estate shall have the right to maintain any action with respect to it and shall make all reasonable expenditures necessary to preserve it The court may direct the personal representative to take possession of administer and maintain real estate occupied by an heir or a devisee if this is necessary to protect the rights of claimants or other parties Nothing in this section shall affect the personal representative's power to sell real estate occupied by an heir or devisee

Section 502 Renunciation of Right to Administer Property When any property is of no value to the estate the court may authorize the personal representative to renounce his right to administer it

Section 503 Liability Insurance The personal representative at the expense of the estate may protect himself his employees and the beneficiaries by insurance from liability to third persons arising from the administration of the estate

Section 504 Continuation of Business The court aided by the report of a master if necessary may authorize the

personal representative to continue any business of the decedent for the benefit of the estate and in doing so the court for cause shown may disregard the provisions of the will if any The order may be with or without notice If prior notice is not given to all parties in interest it such extended time as the court for cause shown shall shall be given within five days after the order or within allow Any party in interest may at any time petition the court to revoke or modify the order The order may provide

(1) For the conduct of the business by the personal representative alone or jointly with others or unless restricted by the terms of the will as a corporation to be formed

(2) The extent of the liability of the estate or any part thereof or of the personal representative for obligations incurred in the continuation of the business

(3) Whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business or to the estate as a whole

(4) The period of time the business may be conducted and

(5) Such other regulations including accountings as the court shall deem advisable

Section 505 Incorporation of Decedent's Business After notice to all parties in interest aided by the report of a master if necessary the court unless restricted by the terms of the will may authorize the personal representative alone or jointly with others to organize a corporation to carry on the business of the decendent whether the business was owned solely by him or with others and many contribute for stock of the corporation as capital all or part of the property of the estate which was invested in the business at the time of the death of the decedent

Section 506 Investment of Funds Subject to his duty to liquidate the estate for prompt distribution and to the provisions of the will if any the personal representative may invest the funds of the estate but shall have no duty to do so Any such investment except as the court may otherwise direct shall be restricted to obligations of the United States or the United States Treasury of the Commonwealth or of any political subdivision of the Commonwealth

Section 507 Claims Against Co-Fduciary When one of two or more personal representatives shall be individually liable to the estate the other or others shall take any legal action against him necessary to protect the estate

Section 508 Revival of Judgments against Personal Representative When the decedent held a judgment which is a lien on the real estate of the personal representative any party in interest may suggest his interest in the judgment upon the record thereof and bring an appropriate action to revive it and to continue its lien Any judgment so revived shall remain for the use of all parties in interest

Section 509 Power of Attorney A personal representative may convey real estate transfer title to personal estate or perform any other act of administration by an attorney or attorneys-in-fact provided that this provision shall not authorize him to delegate the exercise of any discretionary power except when the will shall authorize such a delegation

Section 510 Voting Stock by Proxy The personal representatives or a majority of them either in person or by proxy may vote stock owned by the estate

Section 511 Nominee Registration Corporate Fiduciary as Attorney-in-Fact

(a) Corporate Personal Representative A bank and trust company or a trust company incorporated in the Commonwealth or a National bank with trust powers having its principal office in the Commonwealth may keep investments or fractional interests in investments held by it either as sole personal representative or jointly with other personal representatives in the name or names of the personal representative or in the name of a nominee of the corporate personal representative provided the consent thereto of all the personal representatives is obtained and provided further that all such investments shall be so designated upon the records of the corporate personal representative that the estate to which they belong shall appear clearly at all times

(b) Individual Personal Representative A personal representative serving jointly with a bank and trust company or a trust company incorporated in the Commonwealth or with a National bank having its principal office in the Commonwealth may authorize or consent to the corporate personal representative having exclusive custody of the assets of the estate and to the holding of such investments in the name of a nominee of such corporate personal representative to the same extent and subject to the same requirements that the corporate personal representative if it were the sole personal representative would be authorized to hold such investments in the name of its nominee

(c) Corporate Fiduciary as Attorney-in-Fact An individual personal represetntative may employ a bank and trust company or a trust company incorporated in the Commonwealth or a National bank with trust powers having its principal office in the Commonwealth to act as his attorney-in-fact in the performance of ministerial duties including the safekeeping of estate assets and such attorney-in-fact when so acting may be authorized to hold such investments in the name of its nominee to the same extent and subject to the same requirements that such attorney-in-fact if it were the personal representative would be authorized to hold such investments in the name of its nominee

Section 512 Acceptance of Deed in Lieu of Foreclosure The personal representative may take for the estate from the owner of property encumbered by a mortage owned by the estate a deed in lieu of forclosure in which event the real estate shall be considered personalty to the same extent as though title were acquired by foreclosure at sheriff's sale Any deed or deeds heretofore so accepted are hereby made valid in accordance with the provisions hereof

Section 513 Compromise of Controversies Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against the estate of a decedent or to compromise or settle any question or dispute concerning the validity or construction of any will or the distribution of all or any part of any decendent's estate or any other controversy affecting any estate the court on petition by the personal representative or by any party in interest setting forth all the facts and circumstances and after such notice as the court shall direct aided if necessary by the report of a master may enter a decree authorizing the compromise or settlement to be made

Section 514 Death of Fiduciary The personal representative of a deceased fiduciary by reason of his position shall not succeed to the administration of or have the right to possess any asset of an estate which was being administered by his decendent except to protect it pending its delivery to the person entitled to it The account of the deceased fiduciary may be filed by his personal representative and it shall be filed if the court shall so direct The court may direct the personal representative of a deceased fiduciary to make distribution and to make the transfers and assignments necessary to carry into effect a decree of distribution

Section 515 Incompetence of Personal Representative The fiduciary of the estate of an adjudged incompetent personal representative by reason of his position shall not succeed to the administration of or have the right to possess any asset of an estate which was being administered by the incompetent except to protect it pending its delivery to the person entitled to it The account of the incompetent personal representative may be filed by the fiduciary of his estate and it shall be filed if the court shall so direct

Section 516 Administrator c t a An administrator with the will annexed shall have all the powers given by the will to the executor unless otherwise provided by the will When he has been required to give bond no proceeds

of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 517 Administrator d b n and d b n c t a An administrator de bonis non with or without a will annexed shall have the power to recover the assets of the estate from his predecessor in administration or from the personal representative of such predecessor and except as the will shall provide otherwise shall stand in his predecessor's stead for all purposes except that he shall not be personally liable for the acts of his predecessor When he has been required to give bond no proceeds of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 518 Surviving or Remaining Personal Representatives Surviving or remaining personal representatives shall have all the powers of the original personal representatives unless otherwise provided by the will

Section 519 Disagreement of Personal Representatives (a) Decision of Majority If a dispute shall arise among personal representatives the decision of the majority shall control unless otherwise provided by the will if any A dissenting personal representative shall join with the majority to carry out a majority decision requiring affirmative action and may be ordered to do so by the court A dissenting personal representative shall not be liable for the consequences of any majority decision even though he joins in carrying it out if his dissent is expressed promptly to all the other personal representatives provided that liability for failure to join in administering the estate or to prevent a breach of trust may not be thus avoided

(b) When no Majority When a dispute shall arise among personal representatives as to the exercise or non-exercise of any of their powers and there shall be no agreement of a majority of them unless otherwise provided by the will the court upon petition filed by any of the personal representatives or by any party in interest aided if necessary by the report of a master in its discretion may direct the exercise or non-exercise of the power as the court shall deem for the best interest of the estate

Section 520 Effect of Revocation of Letters Probate of Will Later Will or Codicil No act of administration performed by a personal representative in good faith shall be impeached by the subsequent revocation of his letters or by the subsequent probate of a will of a later will or of a codicil provided that regardless of the good or bad fatih of the personal representative no person who deals in good faith with a duly qualified personal representative shall be prejudiced by the subsequent occurrence of any of these contingencies

Section 521 Notice of Devise or Bequest to Corporation or Association A personal representative to whom original letters are granted shall send a written notice within three months after the grant of letters to each corporation or association named as a beneficiary in the decedent's will stating the date of the decedent's death the county where the will has been probated and that it is named as a beneficiary

Section 522 Liability of Personal Representative on Contracts Unless he expressly contracts otherwise in writing a personal representative shall not be personally liable on any written contract which is within his authority as personal representative and discloses that he is contracting as personal representative of a named estate Any action on such a contract shall be brought against the personal representative in his fiduciary capacity only or against his successor in such capacity and execution upon any judgment obtained therein shall be had only against property of the estate

Section 523 Inherent Powers and Duties Except as otherwise provided in this Act nothing in this Act shall be construed to limit the inherent powers and duties of a personal representative

B Sales Pledges Mortgages Leases Options Exchanges

Section 541 Power to Sell Except as otherwise provided by the will if any the personal representative may sell at public or private sale any personal property whether specifically bequeathed or not and any real property not specified specifically devised When the personal representative has been required to give bonds no proceeds of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 542 Power to Lease Except as otherwise provided by the will if any the personal representative may lease any real or personal property which he is entitled to possess The lease may be for a term expiring not more than one year after the decedent's death unless it is terminable by the personal representative at any later time on thirty days' notice or unless a longer term is approved by the court

Section 543 Order of Court When the personal representative is not authorized to do so by this Act or is not authorized or is denied the power to do so by the will if any or when it is advisable that a sale have the effect of a judicial sale he may sell any real or personal property of the decedent including property specifically devised at public or private sale or may pledge mortgage lease or exchange any such property or grant an option for the sale lease or exchange of any such property under order of the orphans' court of the county where letters testamentary or of administration were granted upon such terms and upon such security and after such notice as the court shall direct whenever the court shall find such sale pledge mortgage lease exchange or option to be desirable for the proper administration and distribution of the estate

Section 544 Power Given in Will A testamentary power to sell unless expressly restricted shall include the power to sell at public or private sale or to mortgage for any purpose of administration or distribution but shall not include the right to grant an option without court order A private sale may be made with court approval under the provisions of this Act although the will has directed a public sale A testamentary power to sell pledge mortgage lease or exchange or to grant an option for a purchase lease or exchange of property not given to any person by name or description shall be deemed to have been given to the personal representative and may be exercised without court approval When the personal representative has been required to give bond no proceeds of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 545 Restraint of Sale The court on its own motion or upon application of any party in interest in its discretion may restrain a personal representative from making any sale under and authority not given by will or from carrying out any contract of sale made by him under an authority not so given The order may be conditioned upon the applicant giving bond for the protection of parties in interest who may be prejudiced thereby The order shall be void as against a bona fide grantee of or holder of a lien on real estate unless the decree restraining the sale or a duplicate original or certified copy thereof is recorded in the deed book in the office of the recorder of deeds in the county in which such real estate lies before the recording or entering of the instrument or lien under which such grantee or lienholder claims

Section 546 Purchase by Personal Representative In addition to any right conferred by a will if any the personal representative in his individual capacity may bid for purchase take a mortgage on lease or take by exchange real or personal property belonging to the estate subject however to the approval of the court and under such terms and conditions and after such reasonable notice to parties in interest as it shall direct When the purchaser mortgagee or lessee is the sole personal representative

the court may make an order directing its clerk to execute a deed or other appropriate instrument to him

Section 547 Title of Purchaser If the personal representative has given such bond if any as shall be required in accordance with this Act any sale mortgage or exchange by him whether pursuant to a decree or to the exercise of a testamentary power or of a power under this Act shall pass the full title of the decedent therein unless otherwise specified discharged from the lien of legacies from liability for all debts and obligations of the decedent from all liabilities incident to the administration of the decedent's estae and from all claims of distributees and of persons claiming in their right except that only a sale under Section 543 shall divest liens of record at the time of the decedent's death Persons dealing with the personal representative shall have no obligation to see to the proper application of the cash or other assets given in exchange for the property of the estate Any sale or exchange by a personal representative pursuant to a decree under Section 543 shall have the effect of a judicial sale as to the discharge of liens but the court may decree a sale or exchange freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage shall consent by writing filed in the proceeding No such sale mortgage exchange or conveyance shall be prejudiced by the terms of any will or codicil thereafter probated or by the subsequent revocation of the letters of the personal representative who made the sale mortgage exchange or conveyance if the person dealing with the personal representative did so in good faith

Section 548 Collateral Attack No decree entered pursuant to this Act shall be subject to collateral attack on account of any irregularity if the court which entered it had jurisdiction to do so

Section 549 Record of Proceedings County Where Real Estate Lies Certified copies of proceedings of any court of the Commonwealth relating to or affecting the real estate of any decedent may be recorded in the office for the recording of deeds in any county in which the real estate lies

ARTICLE VI

PROPERTY RIGHTS AND OBLIGATIONS OF ESTATES OF DECEDENTS

A Abatement Survival and Control of Actions

Section 601 Actions Which Survive All causes of action or procedeings real or personal except actions for slander or libel shall survive the death of the plaintiff or of the defendant or the death of one or more joint plaintiffs or defendants

Section 602 Substitution of Personal Representative in Pending Action or Proceedings

(a) Voluntary Substitution The personal representative of a deceased party to a pending action or proceeding may become a party thereto by filing of record a statement of the material facts on which the right to substitution is based

(b) Compulsory Substitution If the personal representative does not voluntarily become a party the prothonotary or clerk of the court as the case may be upon the praecipe of an adverse party setting forth the material facts shall enter a rule upon the personal representative to show cause why he should not be substituted as a party

(c) Service of Rule The rule shall be served by the sheriff in the same manner as a writ of summons in assumpsit If the personal representative resides in any other county of the Commonwealth the rule may be served by a duly deputized sheriff of that county If the personal representative cannot be so served and if the subject of the action or proceeding is properly located within the Commonwealth the personal representative shall be served by sending him a copy of the rule by registered mail directed to his last known address or if no such address is known and an affidavit to that effect is filed then by publication in such manner as the court in which the action or proceeding is pending by general rule or special order shall direct

(d) Status of Personal Representative Continuance If the personal representative voluntarily becomes a party to the action or proceeding or if the rule upon him is made absolute he shall have all the rights and liabilities of a party to the action or proceeding The court may order such cotinuances and extensions as may be necessary to afford him a reasonable opportunity to appear and prosecute or defend the action or proceeding

Section 603 Action By or Against Personal Representative An action or proceeding to enforce any right or liability which survives a decedent may be brought by or against his personal representative alone or with other parties as though the decedent were alive

Section 604 Death or Removal of Fiduciary An action or proceeding to which a fiduciary is a party is not abated by his death or resignation or by the termination of his authority The successor of the fiduciary may be substituted in the action or proceeding in the same manner as the personal representative of a deceased party

Section 605 Abatement of Action for Failure to Take Out Letters If a plaintiff or petitioner in any action or proceeding now pending or hereafter brought dies and a personal representative is not appointed within one year after a suggestion of such death is filed in the action or proceeding any defendant or respondent may petition the court to abate the action as to the cause of action of the decedent Copies of the petition shall be served upon the executor named in the will if known to the defendant and otherwise upon all known next of kin entitled to letters of administration The court shall abate the action as to the cause of action of the decedent if the delay in taking out letters is not reasonably explained

Section 606 Limitations Against Debt Due Estate Failure or delay in taking out letters testamentary or of administration shall not affect the operation of any statute of limitations applicable to a debt or liability owed the estate of a decedent

Section 607 Execution on Judgments

(a) When Prohibited No execution shall issue against nor shall any levy be made upon any real or personal property of the estate of a decedent by virtue of a judgment against him or his personal representative unless

(1) agreed to by the personal representative in a writing filed in the action or proceeding or

(2) approved by the orphans' court of the county in which letters testamentary or of administration have been granted or if none have been granted then of the county in which the principal or family residence of the decedent was located The court may require the giving of notice to the personal representative and to parties in interest or may waive all notice

(b) When Allowed The restrictions of subsection (a) shall not apply to actions or proceedings to enforce mortgages ground rents pledges or conditional sales on real or personal property

B Claims Charges Rights of Creditors

Section 611 Liens and Charges Existing at Death not Impaired Nothing in this article shall be construed as impairing any lien or charge on real or personal estate of the decedent which existed at his death

Section 612 Judgments Which Are Liens at Death Any judgment which at the decedent's death was a lien on real estate then owned by him or on real estate which he had conveyed by deed not recorded during his life shall continue to bind the real estate for five years from the inception or last revival of the lien or for one year from the decedent's death whichever shall be longer although the judgment be not revived after his death During this period the judgment shall rank according to its priority at the time of death and after this period it shall not continue to be a lien on the real estate unless revived Any judgment against the decedent which is a lien on real estate aliened by him may be revived by an action of scire facias brought against the decedent but before any judgment shall be entered thereon the personal representative shall be made a party defendant and served with process in the action

Section 613 Statutes of Limitations Claims Not Barred at Death The death of a person shall not stop the running of the statute of limitations applicable to any claim against him but a claim which otherwise would be barred within one year after the death of the decedent shall not be barred until the expiration of one year after his death

Section 614 Notice of Claim

(a) Written Notice Written notice of any claim against a decedent given to the personal representative or his attorney of record before the claim is barred shall toll the statue of limitations

(b) Acts Equivalent to Written Notice Any of the following acts by a claimant shall be equivalent to the giving of written notice of a claim to the personal representative

(1) Instituting proceedings to compel the filing of an account

(2) Bringing an action against the personal representative in any court having jurisdiction of the claim and having the writ or pleading duly served on the personal representative

(3) Substituting the personal representative as a defendant in an action pending against the decedent

(4) Receiving a written acknowledgment by the personal representative or his attorney of record of the existence of the claim

Section 615 Limitation Upon Claims All claims against the decedent subject only to the provisions of section 611 and 612 shall become unenforceable after one year from the decedent's death against a bona fide grantee of or holder of a lien on real property of the decedent who has acquired his interest for value from or through those entitled to the property by will or by intestacy either

(1) More than one year after the death of the decedent and when no letters issued in the Commonwealth upon the decedent's estate were in effect or

(2) Within such year if no letters upon the decedent's estate have been issued in the Commonwealth during that year Nothing in this section shall be construed to limit the right of a personal representative subsequently appointed to recover from the heir or devisee the value of property so sold or encumbered

Section 616 Failure to Present Claim at Audit If any claimant whose claim is not reported to the court by the personal representative as an admitted claim shall fail to present it at the call for audit or confirmation he shall not be entitled to receive any share of the real and personal estate distributed pursuant to such audit or confirmation whether the estate of the decedent be solvent or insolvent

Section 617 Claims Not Due Certain to Become Due Upon satisfactory proof or admission of a claim which is not due but is certain to become due the court may provide for payment by one of the following methods

(1) Awarding the present value of the claim as agreed to by the claimant and the personal representative

(2) Ordering the personal representative to retain or pay into the court sufficient assets to pay on maturity of the claim the whole amount then due or a proportionate amount in case of insolvency

Section 618 Claims Not Certain to Become Due Upon satisfactory proof or admission of a claim which may or may not become due at a future time the court may provide for payment by one of the following methods

(1) Awarding the present value of the claim as agreed to by the claimant and the personal representative

(2) Ordering the personal representative to distribute the estate but to retain or pay into court sufficient assets to pay the claim or a proportionate amount in case of insolvency if and when it becomes absolute

(3) Making such other provision for the disposition or satisfaction of the claim as shall be equitable

Section 619 Claims Subject to Litigation in Other Courts When any claim not proved in the orphans' court is being litigated in any other court State or Federal having jurisdiction thereof the court may make such provision for the disposition or satisfaction of the claim as shall be equitable

Section 620 Specific Performance of Contracts

(a) Application to Court If any person makes a legally binding agreement to purchase or sell real or personal estate and dies before its consummation his personal representative shall have power to consummate it but if he does not do so the court on the application of any party in interest and after such notice and with such security if any as it may direct in its discretion may order specific performance of the agreement if it would have been enforced specifically had the decedent not died

(b) Execution and Effect of Deed or Transfer Any necessary deed or transfer shall be executed by the personal representative or by such other person as the court shall direct The title of any purchaser under an agreement in which the decedent was the vendor shall be the same as though the decedent had conveyed or transferred such property in his lifetime

(c) Indexing in Judgment Index When any petition for specific performance of an agreement to purchase or sell real estate is filed the prothonotary of the court of common pleas where the real estate or any part of it lies upon the receipt of a certificate of such fact by the clerk of the court where the petition was filed shall enter the petition upon the judgment index against the defendants and shall certify it as lis pendens in any certificate of search which he is required to make by virtue of his office

Section 621 Proceeding Against Personal Representative Any proceeding may be brought against a personal representative or the surety on his bond in the county where his letters have been granted and if the personal representative or surety does not reside in that county process may be served on either of them personally or as follows

(1) When Resident of Another County By a duly deputized sheriff of any other county of the Commonwealth in which he shall be found

(2) When a Nonresident of the Commonwealth By the sheriff of the county where letters have been granted sending by registered mail return receipt requested a true and attested copy of the process to the Secretary of the Commonwealth accompanied by the fee prescribed by law and to the personal representative or surety at his last known address with an endorsement thereon showing that service has been so made upon the Secretary of the Commonwealth

Section 622 Classification and Order of Payment If the applicable assets of the estate are insufficient to pay all proper charges and claims in full the personal representative subject to any preference given by law to claims due the United States shall pay them in the following order without priority as between claims of the same class

(1) The costs of administration

(2) The family exemption

(3) The costs of the decedent's funeral and burial and the costs of medicines furnished to him within six months of his death of medical or nursing services performed for him within that time and of services performed for him by any of his employees within that time

(4) The cost of a gravemarker

(5) Rents for the occupancy of the decedent's residence for six months immediately prior to his death

(6) All other claims including claims by the Commonwealth

Section 623 Notice to Commonwealth and Political Subdivisions When the Commonwealth or a political subdivision thereof has a claim for maintaining in an institution a person who has died in the institution the personal representative within three months after the grant of letters shall give notice thereof to the Department of Revenue or to the proper officer of such political subdivision as the case may be

ARTICLE VII

ACCOUNTING AND DISTRIBUTION IN DECEDENTS' ESTATES

A Accounts

Section 701 Accounting Required Except as otherwise provided in this Act every personal representative shall

file an account of his administration at the expiration of six months from the grant of letters or when directed to do so by the court and may be cited to file an account at any time after the expiration of that period Unless it is directed by the court no account shall be filed within six months of the grant of original letters

Section 702 Where Filed The account of the personal representative shall be filed in the office of the register

Section 703 Notice to Parties in Interest The personal representative shall give written notice of the filing of his account and of its call for audit or confirmation to every unpaid claimant who has given written notice of his claim to the personal representative or his attorney of record and to every other person known to the accountant to have an interest in the estate as beneficiary heir or next of kin

Section 704 Representation of Parties in Interest Persons interested in the estate as beneficiary heir or next of kin if minors or otherwise legally incompetent and possible unborn or unascertained persons when not already represented by a fiduciary may be represented in an accounting by a guardian or trustee ad litem if the court deems it necessary The court may dispense with the appointment of a guardian or trustee ad litem for a person legally incompetent unborn or unascertained when there is a living person sui juris having a similar interest or when such person is or would be issue of a living ancestor sui juris and interested in the estate whose interest is not adverse to his If the whereabouts of any beneficiary or next of kin is unknown or if there is doubt as to his existence the court shall make such provision for service of notice and representation in the acounting as it deems proper

B Audits

Section 711 Audits in Counties Having Separate Orphans' Court In any county having a separate orphans' court the account of a personal representative shall be examined and audited by the court without expense to the parties except when all parties in interest in a pending proceeding shall nominate an auditor whom the court may in its discretion appoint

Section 712 Audits in Counties Having No Separate Orphans' Courts In any county having no separate orphans' court the account of a personal representative shall be confirmed by the court or by the clerk as local rules shall prescribe if no objections are presented within a time fixed by general rule of court If any party in interest shall object to the account or shall request its reference to an auditor the court in its discretion may appoint an auditor

Section 713 Statement of Proposed Distribution A personal representative filing an account shall file a statement of proposed distribution or a request that distribution be determined by the court or by an auditor as local rules may prescribe The statement of proposed distribution shall be in such form and such notice thereof shall be given by advertisement or otherwise and objections thereto may be made as local rules prescribe

Section 714 Confirmation of Account and Approval of Proposed Distribution No account shall be confirmed or statement of proposed distribution approved until an adjudication or a decree of distribution is filed in conformity with local rules by the court or by the clerk of the court expressly confirming the account or approving the statement of proposed distribution and specifying or indicating by reference to the statement of proposed distribution the names of the persons to whom the balance available for distribution is awarded and the amount or share awarded to each

C Review

Section 721 Rehearing Relief Granted If any party in interest shall with five years after the final confirmation of any account of a personal representative file a petition to reivew any part of the account or of an auditor's report or of the adjudication or of any decree of distribution setting forth specifically alleged errors therein the court shall give such relief as equity and justice shall require provided that this section shall not authorize review as to any property distributed by the personal representative in accordance with a decree of court before the filing of the petition The court or master considering the petition may include in his adjudication or report findings of fact and of law as to the entire controversy in pursuance of which a final order may be made

D Distribution

Section 731 Estates Not Exceeding One Thousand Dollars When the gross real and personal estate of a decedent does not exceed the value of one thousand dollars the personal representative after the expiration of one year from the grant of letters may present his petition to the court with an annexed account showing the administration and proper distribution of the estate Thereupon the court upon satisfactory proof of notice to all known parties in interest may order the discharge of the personal representative and his sureties from future liability without the expense of proceedings as in a formal account The court may discharge only the surety from future liability and may allow the personal representative to continue without surety upon condition that no further assets shall come into the possession of the personal representative until he files another bond with sufficient surety as required by the register

Section 732 At Risk of Personal Representative A personal representative at his own risk and without the filing audit or confirmation of his account may after one year from the grant of letters distribute personal property or real estate without liability to any claimant against the decedent who has not given notice of his claim as provided by this Act and except on liens of record existing at the time of death no claimant who has not given such notice shall have any claim as to the property so distributed

Section 733 Award Upon Final Confirmation of Account A personal representative shall be relieved of liability with respect to all real and personal estate distributed in conformity with a decree of court or in accordance with rule of court after confirmation of an account In making any such distribution the personal representative shall not be entitled to demand refunding bonds from the distributees except as provided by this Act or as directed by the court

Section 734 Distribution in Kind The court for cause shown may order the estate to be distributed in kind to the parties in interest including fiduciaries In such case when there are two or more distributees distribution may be made of undivided interests in real or personal estate or the personal representative or a distributee may request the court to divide partition and allot the property or to direct the sale of the property If such a request is made the court after such notice as it shall direct shall fairly divide partition and allot the property among the distributees in proportion to their respective interests or the court may direct the personal representative to sell at a sale confined to the distributees or at a private or public sale not so confined any property which cannot be so divided partitioned or allotted

Section 735 Delivery of Possession of Real Estate Upon application of any party in interest and after such notice as the court shall direct the court may order the personal representative to deliver to any distributee possession of any real estate to which he is entitled provided that claimants and other distributees are not prejudiced thereby The personal representative shall cease to be responsible for the maintenance of such real estate unless and until possession of it is returned to him with his consent or by order of court The court at any time prior to a final decree approving the distribution may order the distributee to return the possession of any such real estate to the personal representative or may require the distributee to give security for the rents or rental value pending a decree of distribution

Section 736 Recording and Registering Decrees Award-

ing Real Estate A certified copy of every adjudication or decree awarding real estate or an appropriate excerpt from either of them shall be recorded at the expense of the estate in the deed book in the office of the recorder of deeds of each county where the real estate so awarded lies shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantee's index under the name of the distributee and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county provided that no adjudication or decree awarding real estate subject to the payment of any sum by the distributee shall be recorded or registered unless there is offered for recording concurrently therewith written evidence of the payment of such sum

E Rights of Distributees

Section 751 Order of Abatement

(a) General Rules Except as otherwise provided by the will if the asssets are insufficient to pay all claimants and distributees in full the shares of distributees without distinction between real and personal estate shall have priority of distribution in the following order

(1) Property specifically devised or bequeathed to or for the benefit of the surviving spouse

(2) Property specifically devised or bequeathed to or for the benefit of the decedent's issue

(3) Property specifically devised or bequeathed to or for the benefit of other distributees

(4) Property disposed of by will in the form of a general bequest of cash stocks or bonds

(5) Property disposed of by general devise or bequest and not included in a residuary clause

(6) Property devised or bequeathed in a residuary clause

(7) Property not disposed of by the will

(b) Demonstrative Legacies Property out of which a demonstrative legacy is primarily to be paid shall be deemed to be specifically devised or bequeathed to the extent of such demonstrative legacy

Section 752 Contribution The court may make orders of contribution among legatees or devisees to accomplish an abatement in accordance with the provisions of Section 751 and may determine whether the amount thereof shall be paid before distribution or shall constitute a lien on particular property which is distributed

Section 753 Interest or Income on Distributive Shares

(a) Pecuniary Legacy A pecuniary legacy bequeathed in trust shall bear interest at the rate of three per centum per annum from the death of the decedent until the payment of the legacy and when not in trust shall bear interest at the rate of three per centum per annum from one year after the death of the decedent until the paymnt of the legacy

(b) Specific Legacy or Devise A specific legatee or devisee shall be entitled to the net income from property given to him accrued from the date of the death of the decedent

(c) Demonstrative Legacy A demonstrative legacy shall bear interest from the death of the decedent until the payment of the legacy at the rate earned by the property out of which it is primarily payable and to the extent that it is not paid from that source shall bear interest at the rate of three per centum per annum from one year after the death of the decedent until the payment of the legacy

(d) Residuary Legacy or Devise All income from real and personal estate earned during the period of administration and not payable to others shall be distributed pro rata among the income beneficiaries of any trust created out of the residuary estate and the other persons entitled to the residuary estate

(e) Future Date A legacy payable at a future date unless earlier set aside as a separate trust shall not begin to bear interest or income until the date fixed for payment or delivery

(f) Relationship Interest or income shall be paid on distributive shares with no distinction because of the relationship of the distributee to the decedent

(g) Testamentary Provisions All rules set forth in this section are subject to the provisions of the decedent's will

Section 754 Liability of Personal Representative for Interest A personal representative who has committed a breach of duty with respect to estate assets shall in the discretion of the court be liable for interest not exceeding the legal rate on such assets

Section 755 Transcripts of Balances Due by Personal Representative

(a) Filing in Common Pleas The prothonotary of any court of common pleas shall on demand of any party in interest file and docket a certified transcript or extract from the record showing that an orphans' court has adjudged an amount to be due by a personal representative and such transcript or extract shall constitute a judgment against the personal representative from the time of its filing with the same effect as if it had been obtained in an action in the court of common pleas If the amount adjudged to be due by the personal representative shall be increased or decreased on appeal the prothonotary shall if the decree of the appellate court is certified to him change his records accordingly and if the appellate court has increased the amount the excess shall constitute a judgment against the personal representative from the time when the records are so changed

(b) Satisfaction and Discharge If the orphans' court shall order the personal representative to be relieved from any such judgment the prothonotary shall on demand of any party in interest enter on his records a certified copy of such order which shall operate as a satisfaction of the judgment

Section 756 Determination of Title to Decedent's Interest in Real Estate When a person shall die leaving an interest in real estate within the Commonwealth and no letters testamentary or of administration have been granted on the estate of the decedent in the Commonwealth and one year has expired since the decedent's death or if a personal representative has been appointed and has not filed his account within six years of the death of the decedent any person claiming an interest in the real estate as or through an heir or devisee of the decedent may present a petition to establish title thereto in the orphans' court of the county where letters testamentary or of administration have been granted or should no letters have been granted then of the county within which was the family or principal residence of the decedent If the decedent was a nonresident of the Commonwealth the petition may be presented in the orphans' court of any county wherein any of the real estate shall lie The court aided if necessary by the report of a master may enter its decree nisi adjudging that the title to the decedent's interest in the real estate is in such person or persons as the court shall determine Notice of the decree nisi shall be given to creditors and other parties in interest by advertisement and otherwise as the court shall direct If no exception to the decree is filed within three months it shall be confirmed absolutely free of all decedent's debts not then liens of record and regardless of the provisions of any testamentary writing of the decedent thereafter probated A certified copy of the decree shall be recorded in the office of the recorder of deeds of each county where real estate included in the decree shall lie shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantee's index under the name of each distributee and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county

Article VIII

Legacies Annuities and Other Charges

Section 801 Enforcement of Payment When a sum of money is charged upon real or personal property by will inter vivos trust or decree and has become payable the court having jurisdiction of the estate or trust upon petition of a party in interest and after notice to all persons liable for its payment and to the owner of the

property charged may enter a decree directing payment by the person liable and in default of payment may direct the fiduciary or a trustee to be appointed to sell the property charged or so much of it as shall be necessary upon such terms and security as the court shall direct in which event the proceeds of the sale shall be distributed under the direction of the court as in other cases of judicial sales to the persons legally entitled to receive them

Section 802 Discharge of Portion of Property from Charges Payable in the Future When a sum of money is charged upon real or personal property by will inter vivos trust or decree and is payable at a future date the court having jurisdiction of the estate or trust upon petition of a party in interest and after such notice as it shall direct aided by the report of a master if necessary or at the audit of any accounting may enter a decree not contrary to any express provision in the will or trust instrument exonerating and discharging such portion of the real and personal property charged as to it may seem beyond the amount requisite for providing a sufficient continuing security for the payment of the charge or may direct that excess income be accumulated for the further protection of the charge or be distributed to the persons entitled thereto When an annuity is not restricted by the will or trust instrument to the income of the property charged with its payment the court may authorize the payment of the annuity from the principal of the property set apart to secure its payment should income at any time prove insufficient

Section 803 Discharge of Property from Lien of Charge

(a) Payment Into Court When real or personal property by will inter vivos trust or decree is subject to a charge which has become payable the court which has jurisdiction of the estate or trust upon petition of a party in interest and after such notice as it shall direct shall enter a decree fixing the amount of the charge then payable and directing that it be paid into court and that upon such payment the property shall be discharged from so much of the charge as shall be paid into court When the amount of the charge does not appear as a matter of record the court by appointment of a master or by investigation in open court may ascertain and fix the amount A certified copy of every decree relieving real property of the lien of a charge shall be recorded in the deed book in the office of the recorder of deeds of each county where the real estate shall lie and shall be indexed by the recorder in the grantor's index under the name of the decedent or settlor as the case may be and in the grantee's index under the name of the owner of the land provided that no conditional decree shall be recorded unless there is offered for recording concurrently therewith written evidence of compliance with the condition

(b) Distribution of Moneys Paid Into Court Any money paid into court under the provisions of this section subject to the laws of the Commonwealth relating to the payment of unclaimed funds into the State Treasury without escheat shall remain there until the court on petition of a party in interest and after such notice as it shall direct aided by the report of a master if necessary shall direct distribution to the persons entitled The court may in its discretion appoint an auditor to make such distribution

Section 804 Presumption of Payment Release or Extinguishment

(a) Lapse of Twenty Years When (1) for twenty years after the same or any part thereof becomes due no payment has been made on account of a dower recognizance legacy annuity instalment or other charge created by will inter vivos trust or court decree upon real property or (2) no proceeding has been brought or no written acknowledgment of the existence thereof or no written promise to pay the same has been made within such period by the owner or owners of the property subject to the charge a release or extinguishment thereof shall be presumed and the charge shall thereafter be irrecoverable

(b) Perpetuation of Evidence The evidence of any such payment or written acknowledgment or promise may be perpetuated by recording it in the office of the recorder of deeds of the county or counties in which the real property bound by the charge is situate The recorder of deeds shall index such evidence in the grantor's index under the name of the record owner or owners of the real property and in the grantee's index under the name of the owner or owners of the charge

(c) Renewal of Evidence Every Twenty Years If such evidence of the charge is so recorded and indexed within the said period of twenty years it shall remain a charge on the real property for a period of twenty years from the time of indexing and no longer provided that such evidence may be renewed within successive periods of twenty years as often as necessary

(d) Irrecoverable After Twenty Years If such evidence does not appear of record and is not indexed as herein provided within a period of twenty years or within the periods provided for a renewal thereof then said dower recognizance legacy annuity instalment or other charge shall be irrevocable from any purchaser mortgagee or other lien creditor

(e) Retroactive Application The owner of any such charge which would be barred by the provisions of this Act may at any time prior to the expiration of two years from the effective date of this Act in the manner herein prescribed record such evidence made within twenty-one years prior to the effective date of this Act and cause it to be duly indexed against the owner or owners of the real property bound thereby which recording and indexing if renewed within the periods prescribed in this Act shall prevent such charge from being barred hereby

Article IX

Trust Estates

A Appointment of Trustees

Section 901 To Fill Vacancy The court after such notice to parties in interest as it shall direct may appoint a trustee to fill a vacancy in the office of trustee subject to the provisions if any of the trust instrument

Section 902 Nonresident Trustees If a trustee is or becomes a nonresident of the Commonwealth the acceptance of the trusteeship or the act of becoming a nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made as to all causes of action relating to the trust estate

Section 903 Resident Co-trustee When no trustee shall be a resident of the Commonwealth the court after such notice as it shall direct may appoint one or more additional trustees resident within the Commonwealth to serve with the nonresident trustee or trustees

B Bond of Trustees

Section 911 Necessity Form and Amount

(a) When Required Except as hereinafter provided the court in its discretion may require any trustee whether or not a resident of the Commonwealth to execute and file a bond which shall be in the name of the Commonwealth with sufficient surety in such amount as the court considers necessary having regard to the value of the personal estate in the control of the trustee

(b) When Not Required

(1) When Named in or Provided for in Trust Instrument No bond shall be required of a trustee whether or not a resident of the Commonwealth who is named in or whose appointment is to be made in a manner specified by the trust instrument unless such instrument requires a bond or the court for cause shown deems it advisable

(2) Corporate Trustee No bond shall be required of a bank and trust company or trust company incorporated in the Commonwealth or of a national bank having its principal office in the Commonwealth unless the court for cause shown deems it advisable

(c) Condition The bond shall be conditioned in the following form

(1) When One Trustee The condition of this obliga-

tion is that if the said trustee shall well and truly administer the trust according to law this obligation shall be void but otherwise it shall remain in force

(2) When two or More Trustees The condition of this obligation is that if the said trustees or any of them shall well and truly administer the trust according to law this obligation shall be void as to the trustee or trustees who shall so administer the trust but otherwise it shall remain in force

Section 912 Requiring or Changing Amount of Bond The court for cause shown and after such notice if any as it shall direct may require a surety bond or increase or decrease the amount of an existing bond or require more or less security therefor

C Removal and Discharge

Section 921 Grounds and Procedure The grounds and the procedure for the removal or discharge of a trustee and his surety and the effect of such removal or discharge shall be the same as are set forth in this Act relating to the removal and discharge of a personal representative and his surety with regard to the following

(1) Grounds for removal as in Section 331

(2) Procedure for and effect of removal as in Section 332

(3) Discharge of Trustee and Surety as in Section 333

D Powers Duties and Liabilities of Trustees

Section 931 Possession of Real and Personal Property Except as otherwise provided in the trust instrument the trustee until it is distributed or sold shall have the right to and shall take possession of maintain and administer each real and personal asset of the trust collect the rents and income from it and make all reasonable expenditures necessary to preserve it He shall also have the right to maintain any action with respect to real or personal property of the trust

Section 932 Abandonment of Property When any property is so burdensome or is so encumbered or is in such condition that it is of no value to the trust the trustee may abandon it When such property cannot be abandoned without transfer of title to another or without a formal renunciation the court may authorize the trustee to transfer or renounce it without consideration if it shall find that this will be for the best interests of the trust

Section 933 Liability Insurance The trustee at the expense of the trust may protect himself his employees and the beneficiaries by insurance from liability to third persons arising from the administration of the trust

Section 934 Continuation of Business The court aided by the report of a master if necessary may authorize the trustee to continue any business held in the trust and in doing so the court for cause shown may disregard the provisions of the trust instrument The order may be with or without notice If prior notice is not given to all parties in interest it shall be given within five days after the order or within such extended time as the court for cause shown shall allow Any party in interest may at any time petition the court to revoke or modify the order The order may provide

(1) For the conduct of the business by the trustee alone or jointly with others or unless restricted by the terms of the trust instrument as a corporation to be formed

(2) The extent of the liability of the trust or any part thereof or of the trustee for obligations incurred in the continuation of the business

(3) Whether liabilities incured in the conduct of the business are to be chargeable solely to the part of the trust set aside for use in the business or to the trust as a whole

(4) The period of time the business may be conducted and

(5) Such other regulations including accountings as the court shall deem advisable

Section 935 Incorporation of Business After notice to all parties in interest aided by the report of a master if necessary the court unless restricted by the terms of the trust instrument may authorize the trustee alone or jointly with others to organize a corporation to carry on a business held in the trust whether the business is owned solely by the trust or with others and may contribute for stock of the corporation as capital all or part of the property of the trust which was invested in the business at the time the business was acquired by the trust

Section 936 Claims Agains Co-trustee When one of two or more trustees shall be individually liable to the trust the other or others shall take any legal action against him necessary to protect the trust

Section 937 Proceeding Against Trustee Any proceeding may be brought against a trustee or the surety on his bond in the county of the court having jurisdiction of the trust and if he does not reside in that county process may be served on him personally or as follows

(1) When Resident of Another County By a duly deputized sheriff of any other county of the Commonwealth in which he shall be found

(2) When a Nonresident of the Commonwealth By the sheriff of the county of the court having jurisdiction of the trust sending by registered mail return receipt requested a true and attested copy of the process to the Secretary of the Commonwealth accompanied by the fee prescribed by law and to the trustee or surety at his last known address with an endorsement thereon showing that service has been so made upon the Secretary of the Commonwealth

Section 938 Revival of Judgments Against Trustee When the trust estate holds a judgment which is a lien on real estate owned by a trustee individually any part in interest may suggest his interest in the judgment upon the record thereof and bring an appropriate action to revive it and to continue its lien Any judgment so revived shall remain for the use of all parties in interest

Section 939 Liability of Trustee on Contracts Unless he expressly contracts otherwise in writing a trustee shall not be personally liable on any written contract hereafter entered into which is within his authority as trustee and discloses that he is contracting as trustee of a named trust Any action on such a contract shall be brought against the trustee in his fiduciary capacity only or against his successor in such capacity and execution upon any judgment obtained therein shall be had only against property of the trust

Section 940 Investments Except as otherwise provided by the trust instrument the powers and duties of trustees in making retaining and managing investments shall be as prescribed by law generally for fiduciaries

Section 941 Power of Attorney A trustee may convey real estate transfer title to personal estate or perform any other act of administration by an attorney or attorneys-in-fact provided that this provision shall not authorize him to delegate the exercise of any discretionary power except as authorized by the trust instrument

Section 942 Voting Stock by Proxy The trustees or a majority of them either in person or by proxy may vote stock owned by the trust

Section 943 Nominee Registration Corporate Fiduciary as Attorney-in-fact

(a) Corporate Trustee A bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth may keep investments or fractional interests in investments held by it either as sole trustee or as co-trustee in the name or names of the trustees or in the name of a nominee of the corpoate trustee provided the consent thereto of the co-trustees if any is obtained and provided further that all such investments shall be so designated upon the records of the corporate trustee that the trust to which they belong shall appear clearly at all times

(b) Individual Trustee A trustee serving jointly with a bank and trust company or a trust company incorporated in the Commonwealth or with a national bank having its principal office in the Commonwealth may authorize or consent to the corporate trustee having

exclusive custody of the assets of the trust and to the holding of such investments in the name of a nominee of such corporate trustee to the same extent and subject to the same requirements that the corporate trustee if it were the sole trustee would be authorized to hold such investments in the name of its nominee

(c) Corporate Fiduciary as Attorney-in-Fact An individual trustee may employ a bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth to act as his attorney-in-fact in the performance of ministerial duties including the safe-keeping of trust assets and such attorney-in-fact when so acting may be authorized to hold such investments in the name of its nominee to the same extent and subject to the same requirements that such attorney-in-fact if it were the trustee would be authorized to hold such investments in the name of its nominee

Section 944 Acceptance of Deed in Lieu of Foreclosure The trustee may take for the trust from the owner of property encumbered by a mortgage owned by the trust a deed in lieu of foreclosure in which event the real estate shall be considered personalty to the same extent as though title had been acquired by foreclosure at sheriff's sale Any deed or deeds heretofore so accepted are hereby made valid in accordance with the provisions hereof

Section 945 Compromise of Controversies Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against a trust or to compromise or settle any question or dispute concerning the validity or construction of any will or trust instrument or the distribution of all or any part of any trust or any controversy affecting any trust the court on petition of the trustee or by any party in interest setting forth all the facts and circumstances and after such notice as the court shall direct aided if necessary by the report of a master may enter a decree authorizing the compromise or settlement to be made

Section 946 When Trustee Dies or Becomes Incompetent The fiduciary of the estate of a deceased or incompetent trustee by reason of such position shall not succeed to the administration of or have the right to possess any asset of a trust which was being administered by the deceased or incompetent trustee except to protect it pending its delivery to the person entitled to it The account of the deceased or incompetent trustee may be filed by the fiduciary of his estate and it shall be filed if the court shall so direct

Section 947 Substituted or Succeeding Trustee A substituted or succeeding trustee except as otherwise provided by the trust instrument shall have all the power duties and liabilities of the original trustee He shall have the power to recover the assets of the trust from his predecessor in administration or from the fiduciary of such predecessor and except as otherwise provided by the trust instrument shall stand in the predecessor's stead for all purposes except that he shall not be personally liable for the acts of his predecessor

Section 948 Surviving or Remaining Trustees Surviving or remaining trustees shall have all the powers of the original trustees unless otherwise provided by the trust instrument

Section 949 Disagreement Among Trustees

(a) Decision of Majority If a dispute shall arise among trustees the decision of the majority shall control unless otherwise provided by the trust instrument A dissenting trustee shall join with the majority to carry out a majority decision requiring affirmative action and may be ordered to do so by the court A dissenting trustee shall not be liable for the consequences of any majority decision even though he joins in carrying it out if his dissent is expressed promptly to all the other co-trustees provided that liability for failure to join in administering the trust or to prevent a breach of trust may not be thus avoided

(b) When No Majority When a dispute shall arise among trustees as to the exercise or non-exercise of any of their powers and there shall be no agreement of a majority of them unless otherwise provided by the trust instrument the court upon petition filed by any of the trustees or by any party in interest aided if necessary by the report of a master in its discretion may direct the exercise or non-exercise of the power as the court shall deem for the best interest of the trust

Section 950 Effect of Removal or of Probate of Later Will or Codicil No act of administration performed by a testamentary trustee in good faith shall be impeached by the subsequent revocation of the probate of the will from which he derives his authority or by the subsequent probate of a later will or of a codicil or by the subsequent dismissal of the trustee provided that regardless of the good or bad faith of the testamentary trustee no person who deals in good faith with a testamentary trustee shall be prejudiced by the subsequent occurrence of any of these contingencies

Section 951 Inherent Powers and Duties Except as otherwise provided in this Act nothing in this Act shall be construed to limit the inherent powers and duties of a trustee

E Sales Pledges Mortgages Leases Options and Exchanges

Section 961 Power to Sell Except as otherwise provided by the trust instrument the trustee for any purpose of administration or distribution may sell at public or private sale any real or personal property of the trust When the trustee has been required to give bond no proceeds of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 962 Power to Lease Except as otherwise provided by the trust instrument the trustee may lease any real or personal property of the trust for a term not exceeding five years after its execution unless a longer term is approved by the court

Section 963 Order of Court When the trustee is not authorized to do so by this Act or is denied the power to do so by the trust instrument or when it is advisable that the sale have the effect of a judicial sale he may sell for any purpose of administration or distribution any real or personal property of the trust at public or private sale or may pledge mortgage lease or exchange any such property or grant an option for the sale lease or exchange of any such property under order of the court upon such terms and upon such security and after such notice as the court shall direct whenever the court shall find that such sale pledge mortgage lease exchange or option is for the best interests of the trust

Section 964 Power in the Trust Instrument A power given in the trust instrument to sell unless expressly restricted shall include the power to sell at public or private sale or to mortgage for any purpose of administration or distribution but shall not include the right to grant an option without court order A private sale may be made with court approval under the provisions of this Act although the trust instrument has directed a public sale A power given in the instrument to sell pledge mortgage lease or exchange or to grant an option for a purchase lease or exchange of property of the trust not given to any person by name or description shall be deemed to have been given to the trustee and may be exercised without court approval When the trustee has been required to give bond no proceeds of real estate shall be paid to him until the court has made an order excusing him from entering additional security or requiring additional security and in the latter event only after he has entered the additional security

Section 965 Restraint of Sale The court on its own motion or upon application of any party in interest in its discretion may restrain a trustee from making any sale under an authority not given by the trust instrument or form carrying out any contract of sale made by him under an authority not so given The order may be conditioned upon the applicant giving bond for the protection of parties in interest who may be prejudiced thereby The order shall be void as against a bona fide grantee of or holder of a lien on real estate unless the decree restrain-

ing the sale or duplicate original or certified copy thereof is recorded in the deed book in the office of the recorder of deeds in the county in which the real estate lie before the recording or entering of the instrument or lien under which such grantee or lienholder claims

Section 966 Purchase by Trustee In addition to any right conferred by the trust instrument the trustee in his individual capacity may bid for purchase take a mortgage on lease or take by exchange real or personal property belonging to the trust subject however to the approval of the court and under such terms and conditions and after such reasonable notice to parties in interest as it shall direct When the purchaser mortgagee or lessee is the sole trustee the court may make an order directing its clerk to execute a deed or other appropriate instrument to him

Section 967 Title of Purchaser If the trustee has given such bond if any as shall be required in accordance with this Act any sale pledge mortgage or exchange by a trustee whether pursuant to a decree or to the exercise of a power conferred by the trust instrument or of a power under this Act shall pass the full title of the trust therein unless otherwise specified Persons dealing with the trustee shall have no obligation to see to the proper application of the cash or other assets given in exchange for the property of the trust Any sale or exchange by a trustee pursuant to a decree under Section 963 shall have the effect of a judicial sale as to the discharge of liens but the court may decree a sale or exchange freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage shall consent by writing filed in the proceeding No such sale mortgage exchange or conveyance shall be prejudiced by the subsequent dismissal of the trustee nor shall any such sale mortgage exchange or conveyance by a testamentary trustee be prejudiced by the terms of any will or codicil thereafter probated if the person dealing with the trustee did so in good faith

Section 968 Collateral Attack No decree entered pursuant to this Act shall be subject to collateral attack on account of any irregularity if the court which entered it had jurisdiction to do so

Section 969 Record of Proceedings County Where Real Estate Lies Certified copies of proceedings of any court of the Commonwealth relating to or affecting the real estate of any trust may be recorded in the office of the recorder of deeds in any county in which the real estate lies

F Accounts Audits Reviews Distribution

Section 981 When Account Filed A trustee shall file an account of his administration at the termination of the trust and may file an account at any other time The court may direct him to file an account at any time

Section 982 Where Accounts Filed All accounts of trustees shall be filed in the office of the clerk

Section 983 Notice Audits Reviews and Distribution The provisions concerning accounts audits reviews distributions and rights of distributees in trust estates shall be the same as those set forth in this Act for the administration of a decedent's estate with regard to the following

Accounts

(1) Notice to parties in interest as in Section 703

(2) Representation of parties in interest as in Section 704

Audits

(3) Audits in counties having a separate orphans' court as in Section 711

(4) Audits in counties having no separate orphans' court as in Section 712

(5) Statement of proposed distribution as in Section 713

(6) Confirmation of accounts and approval of proposed distribution as in Section 714

Reviews

(7) Rehearing—Relief granted as in Section 721

Distribution

(8) Award upon final confirmation of account as in Section 733

(9) Distribution in kind as in Section 734

(10) Recording and registering decrees including real estate as in Section 736

Rights of Distributees

(11) Liability for interest as in Section 754

(12) Transcripts of balances due as in Section 755

Section 984 Disposition of Minor's Income Except as otherwise provided by the trust instrument the trustee with the approval of the court may pay income distributable to a minor beneficiary for whose estate no guardian has been appointed directly to the minor or expend and apply it for his maintenance or education

G Separation and Combination of Trusts

Section 991 Separate Trusts The court for cause shown and with the consent of all parties in interest may divide a trust into two or more separate trusts

Section 992 Combination of Trusts Whenever the trust instrument provides for the creation of separate trusts the court for cause shown and with the consent of all parties in interest may authorize the trusts to be combined

Article X

Minors

A Small Estates

Section 1001 When Guardian unnecessary When the entire real and personal estate wherever located of a resident or nonresident minor has a net value of one thousand dollars or less all or any part of it may be received and held or disposed of by the minor or by the parent or other person maintaining the minor without the appointment of a guardian or the entry of security in any of the following circumstances

(1) Award from Decedent's Estate or Trust When the court having the jurisdiction of a decedent's estate or of a trust in awarding the interest of the minor shall so direct

(2) Interest in Real Estate When the court having jurisdiction to direct the sale or mortgage of real estate in which the minor has an interest shall so direct as to the minor's interest in the real estate

(3) Other Circumstances In all other circumstances when the court which would have had jurisdiction to appoint a guardian of the estate of the minor shall so direct

Section 1002 Power of Natural Guardian The court may authorize or direct the parent or other person maintaining the minor to execute as natural guardian any receipt deed mortgage or other appropriate instrument necessary to carry out a decree entered under Section 1001 and in such event may require the deposit of money in a savings account or the care of securities in any manner considered by the court to be for the best interests of the minor The decree so made except as the court shall expressly provide otherwise shall constitute sufficient authority to all transfer agents registrars and others dealing with property of the minor to recognize the persons named therein as entitled to receive the property and shall in all respects have the same force and effect as an instrument executed by a duly appointed guardian under court decree

B Appointment of Guardian

Section 1101 County of Appointment

(a) Resident Minor A guardian of the person or of the estate of a minor may be appointed by the court of the county in which the minor resides

(b) Nonresident Minor A guardian of the estate within the Commonwealth of a minor residing outside the Commonwealth may be appointed by the court of the county having jurisdiction of a decedent's estate or of a trust from which the minor's estate is derived When the nonresident minor's estate is derived otherwise than

from a decedent's estate or a trust a guardian may be appointed by the court of any county where an asset of the minor's estate is located

(c) Exclusiveness of Appointment When a court has appointed a guardian of a minor's estate pursuant to subsections (a) or (b) no other court shall appoint a similar guardian for the minor within the Commonwealth

Section 1012 Persons Not Qualified to be Appointed by the Court The court shall not appoint as guardian of the estate of a minor any person who is

(1) Under twenty-one years of age

(2) A corporation not authorized to act as fiduciary in the Commonwealth

(3) A personal representative or a trustee of an estate in which the minor is interested

(4) A parent of the minor

Section 1013 Persons Preferred in Appointment A person of the same religious persuasion as the parents of the minor shall be preferred as guardian of his person A person nominated by a minor over the age of fourteen if found by the court to be qualified and suitable shall be preferred as guardian of his person or estate

Section 1014 Nonresident Guardian When a guardian is or becomes a nonresident of the Commonwealth the acceptance of his appointment or the Act of becoming a nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom services of process and notices may be made as to all causes of action relating to the minor's estate

C Bond

Section 1021 Necessity Form and Amount Except as hereinafter provided every guardian of the estate of a minor shall execute and file a bond which shall be in the name of the Commonwealth with sufficient surety in such amount as the court considers necessary having regard to the value of the personal estate which will come into the control of the guardian and conditioned in the following form

(1) When One Guardian The condition of this obligation is that if the said guardian shall well and truly administer the estate according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Guardians The condition of this obligation is that if the said guardians or any of them shall well and truly administer the estate according to law this obligation shall be void as to the guardian or guardians who shall so administer the estate but otherwise it shall remain in force

Section 1022 When Bond Not Required

(a) Guardian Named in Conveyance No bond shall be required of a guardian appointed by or in accordance with the terms of a will inter vivos instrument or insurance contract as to the property derived by the minor from such instrument unless it is required by the conveyance or unless the court for cause shown deems it advisable

(b) Corporate Guardian No bond shall be required of a bank and trust company or of a trust company incorporated in the Commonwealth or of a national bank having its principal office in the Commonwealth unless the court for cause shown deems it advisable

(c) Nonresident Corporation A nonresident corporation or a national bank having its principal office out of the Commonwealth otherwise qualified to act as guardian in the discretion of the court may be excused from giving bond

(d) Other Cases In all other cases the court may dispense with the requirement of a bond when for cause shown it finds that no bond is necessary

Section 1023 Requiring or Changing Amount of Bond The court for cause shown and after such notice if any as it shall direct may require a surety bond or increase or decrease the amount of an existing bond or require more or less security therefor

D Removal and Discharge

Section 1031 Grounds and Procedure The grounds and the procedure for the removal or discharge of a guardian and his surety and the effect of such removal or discharge shall be the same as are set forth in this Act relating to the removal and discharge of a personal representative and his surety with regard to the following

(1) Grounds for removal as in Section 331

(2) Procedure for and effect of removal as in Section 332

(3) Discharge of guardian and surety as in Section 333

E Powers Duties and Liabilities In General

Section 1041 Possession of Real and Personal Property The guardian of the estate of a minor appointed by the court until it is distributed or sold shall have the right to and shall take possession of maintain and administer each real and personal asset of the minor to which his appointment extends collect the rents and income from it and make all reasonable expenditures necessary to preserve it He shall also have the right to maintain any action with respect to such real or personal property of the minor

Section 1042 Inventory Every guardian within three months after real or personal estate of his ward comes into his possession shall verify by oath and file with the clerk (1) an inventory and appraisement of such personal estate (2) a statement of such real estate and (3) a statement of any real or personal estate which he expects to acquire thereafter

Section 1043 Those Identical with Trustees The provisions concerning the powers duties and liabilities of a guardian appointed by the court shall be the same as those set forth in this Act for the administration of a trust estate with regard to the following

(1) Abandonment of property as in Section 932

(2) Liability insurance as in Section 933

(3) Continuation of business as in Section 934

(4) Incorporation of business as in Section 935

(5) Claims against co-guardian as in Section 936

(6) Proceedings against guardian as in Section 937

(7) Revival of judgment against guardian as in Section 938

(8) Liability of guardian on contracts as in Section 939

(9) Investments as in Section 940

(10) Power of attorney as in Section 941

(11) Voting stock by proxy as in Section 942

(12) Nominee Registration Corporate Fiduciary as attorney-in-fact as in Section 943

(13) Acceptance of deed in lieu of foreclosure as in Section 944

(14) Compromise of controversies as in Section 945

(15) When guardian dies or becomes incompetent as in Section 946

(16) Surviving or remaining guardian as in Section 948

(17) Disagreement of guardians as in Section 949

Section 1044 Inherent Powers and Duties Except as otherwise provided in this Act nothing in this Act shall be construed to limit the inherent powers and duties of a guardian

Section 1045 Guardian Named in Conveyance

(a) In General The powers duties and liabilities of a guardian not appointed by the court as to property of the minor to which his appointment lawfully extends shall be the same as the powers duties and liabilities of a court appointed guardian except as the instrument making the appointment shall provide otherwise

(b) Substituted or Succeeding Guardian A substituted or succeeding guardian except as otherwise provided by the instrument if any appointing the original guardian in addition to the powers of a guardian appointed by the court shall have all the powers duties and liabilities of the original guardian He shall have the power to recover the assets of the minor from his predecessor in administration or from the fiduciary of such predecessor and except as otherwise provided in an applicable instrument shall stand in the predecessor's stead for all purposes except that he shall not be personally liable for the acts of his predecessor

(c) Effect of Removal or of Probate of Later Will or Cidicil No act of administration performed by a testamentary guardian in good faith shall be impeached by

the subsequent revocation of the probate of the will from which he derives his authority or by the subsequent probate of a later will or of a codicil or by the subsequent dismissal of the guardian provided that regardless of the good or bad faith of the testamentary guardian no person who deals in good faith with a testamentary guardian shall be prejudiced by the subsequent occurrence of any of these contingencies

F Sales Pledges Mortgages Leases Options and Exchanges

Section 1061 Power to Sell Personal Property A guardian appointed by the court may sell at public or private sale any personal property of the minor

Section 1062 Power to Lease A guardian appointed by the court may lease any real or personal property of the minor Unless a longer term is approved by the court the lease shall not extend beyond the date when the minor if living will attain his majority nor for more than five years after the date is is executed

Section 1063 Order of Court A guardian appointed by the court may for any purpose of administration or distribution sell pledge mortgage lease or exchange any real or personal property of the minor at public or private sale or grant an option for the sale lease or exchange of any such property under order of the court upon such terms and upon such security and after such notice as the court shall direct whenever the court shall find that such sale pledge mortgage lease exchange or option is for the best interests of the minor

Section 1064 Restraint of Sale The court on its own motion or upon application of the minor or of anyone in behalf of the minor in its discretion may restrain a guardian appointed by the court from selling or carrying out any contract of sale of any personal property of the minor The order may be conditioned upon the applicant giving bond for the protection of the minor's estate

Section 1065 Purchase by Guardian A guardian appointed by the court in his individual capacity may bid for purchase take a mortgage on lease or take by exchange real or personal property belonging to the minor subject however to the approval of the court and under such terms and conditions and after such reasonable notice to the minor or to persons having an interest in the welfare of the minor as the court shall direct When the purchaser mortgagee or lessee is the sole guardian the court may make an order directing its clerk to execute a deed or other appropriate instrument to him

Section 1066 Title of Purchaser If the guardian has given the bond if any required in accordance with this Act any sale pledge mortgage or exchange by him whether by him pursuant to a decree or to a power under this Act shall pass the full title of the minor therein unless otherwise specified Persons dealing with the guardian shall have no obligation to see to the proper application of the cash or other assets given in exchange for the property of the minor Any sale or exchange by a guardian pursuant to a decree under Section 1063 shall have the effect of a judicial sale as to the discharge of liens but the court may decree a sale or exchange freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage shall consent by writing filed in the proceeding No such sale mortgage exchange or conveyance shall be prejudiced by the subsequent dismissal of the guardian nor shall any such sale mortgage exchange or conveyance by a testamentary guardian be prejudiced by the terms of any will or codicil thereafter probated if the person dealing with the guardian did so in good faith

Section 1067 Collateral Attack No decree entered pursuant to this Act shall be subject to collateral attack on account of any irregularity if the court which entered it had jurisdiction to do so

Section 1068 Record of Proceedings County Where Real Estate Lies Certified copies of proceedings of any court of the Commonwealth relating to or affecting the real estate of any minor may be recorded in the office of the recorder of deeds in any county in which the real estate lies

G Accounts Audtis Reviews Distribution

Section 1081 When Accounting Filed A guardian shall file an account of his administration promptly at the termination of his guardianship or at such earlier time or times as shall be directed or authorized by the court

Section 1082 Where Accounts Filed All accounts of guardians shall be filed in the office of the clerk

Section 1083 Notice Audits Reviews and Distribution The provisions concerning accounts audits reviews distribution and rights of distributees in a minor's estate shall be the same as those designated in Section 983 for the administration of a trust estate

Section 1084 Distributions for Support and Education All income received by a guardian of the estate of a minor in the exercise of a reasonable discretion may be expended in the care maintenance and education of the minor without the necessity of court approval The court for cause shown may authorize or direct the payment or application of any or all of the income or principal of the estate of a minor for the care maintenance or education of the minor his spouse or children or for the reasonable funeral expenses of the minor's spouse child or indigent parent In proper cases the court may order payment of amounts directly to the ward for his maintenance or for incidental expenses and may ratify payments made for these purposes

Section 1085 Notice to Guardian or Guardian Ad Litem The guardian of the estate of a minor shall be given notice of proceedings affecting the interest of his ward in any property to which his appointment extends in the same manner as is provided for notice to persons of full age having similar interests If the minor has no guardian authorized to act for him in respect to the interest involved the court in which the proceedings are pending upon petition or on its own motion may appoint a guardian ad litem for the minor to whom the required notice can be given Nothing herein shall be construed to require the appointment of a guardian ad litem to represent the interest of a minor in an estate unless the court upon petition or on its own motion shall consider such appointment to be advisable The court may dispense with the appointment of a guardian ad litem when there is a living person sui juris having a similar interest or where the minor is issue of a living ancestor sui juris interested in the estate whose interest is not adverse to that of the minor

Section 1086 Death of Minor Upon the audit of the account of the guardian of a person who has died during minority the auditing judge or auditor passing on the account in his discretion may award distribution to those entitled to receive the minor's property unless the estate is or is likely to be involved in litigation making it advisable to distribute the balance to a personal representative of the minor's estate

Article XI

Foreign Fiduciaries

A Powers and Duties

Section 1101 In General A foreign fiduciary may institute proceedings in the Commonwealth (subject to the conditions and limitations imposed on nonresident suitors generally) and may exercise all the other powers of a similar local fiduciary but a foreign personal representative shall have no such power when there is an administration in the Commonwealth Except in the case of stock transfers for which special provision is made in Section 1102 the maintenance of a proceeding or the exercise of any other power by a foreign fiduciary shall be subject to the following additional conditions and limitations

(1) Copy of Appointment The foreign fiduciary shall file with the said register an exemplified copy of his appointment or other qualification in the foreign jurisdiction together with an exemplified copy of the will or other instrument if any in pursuance of which he has been appointed or qualified and when he is an executor administrator c t a testamentary trustee or testamentary

guardian and any of his powers are to be exercised with respect to Pennsylvania real estate he shall file an exemplified copy of the probate proceedings in the foreign jurisdiction which must show that the will has been proved in the manner required in the Commonwealth for a will of a Pennsylvania decedent

(2) Affidavit The foreign fiduciary shall execute and file an affidavit with the register of the county where the power is to be exercised is located stating that after diligent search and inquiry the estate of which he is fiduciary is not to his knowledge or so far as he has been able to discover indebted to any or the proceeding is instituted or the property concerning which person in the Commonwealth and that he will not exercise any power which he would not be permitted to exercise in the jurisdiction of his appointment The affidavit shall be attached to the copy of appointment

(3) Time Limitation When the foreign fiduciary is a personal representative or a trustee under the will of a nonresident decedent he shall not exercise any of his powers within the Commonwealth for one month after the decedent's death

(4) Taxes When the foreign fiduciary exercises a power to sell or mortgage any Pennsylvania real estate all taxes due thereon to the Commonwealth or to any subdivision thereof must be paid or provided for

Section 1102 Stock Transfer When there is no administration in the Commonwealth a foreign fiduciary upon submission of a certificate of his appointment issued or verified within one month of the time it is to be acted upon may transfer stock of a Pennsylvania corporation standing in the name of a decedent or foreign fiduciary in the same manner as a similar local fiduciary and shall not be required to comply with the conditions and limitations of Section 1101

Section 1103 Service of Process The acceptance by a foreign fiduciary of the privilege extended by the laws of the Commonwealth of exercising any of his powers within the Commonwealth shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made in any suit or proceeding instituted in the courts of the Commonwealth arising out of or by reason of the exercise of any of his powers or the performance or nonperformance of any of his duties as such fiduciary

Section 1104 Proof of Authority in Court Proceedings Upon commencing any proceeding in any court of the Commonwealth the foreign fiduciary in addition to the requirements of Section 1101 shall file with the court in which the proceeding is commenced an exemplified copy of his official bond if he has given a bond If the court believes that he should furnish security or additional security in the Commonwealth or in the domiciliary jurisdiction it may at any time order the action or proceeding stayed until sufficient security is furnished

Section 1105 Effect of Local Proceedings No person who before receiving actual notice of local administration or of application therefor has changed his position by relying on the powers granted to foreign fiduciaries by this Act shall be prejudiced by reason of the application for or grant of local administration

B Distributions to Foreign Fiduciaries

Section 1111 To Foreign Personal Representative When a share of an estate administered in the Commonwealth is distributable to a deceased nonresident creditor or other distributee the court may award it to his domiciliary personal representative or to some other person performing the function of a personal representative unless it shall appear that the rights of any resident of the Commonwealth may be adversely affected or the court shall determine that for any reason ancillary administration within the Commonwealth is advisable

Section 1112 To Foreign Trustee Guardian or Committee When a share of an estate administered in the Commonwealth is distributable to a nonresident minor a trustee subject to the jurisdiction of a foreign court or a nonresident incompetent the court may award it to the guardian or committee of the nonresident appointed in the foreign jurisdiction or to such trustee provided that the court shall be satisfied in all cases where an applicable will or trust instrument does not direct distribution to the foreign guardian committee or trustee that adequate security or other protection has been provided in the domiciliary jurisdiction by the domiciliary law for the protection of the persons beneficially interested in the share so awarded

C Transfer of Administration

Section 1121 Award to Foreign Guardian When Minor Becomes a Nonresident When the minor for whose estate a guardian has been appointed by the court is or becomes a nonresident of the Commonwealth the court upon satisfactory proof that it will be for the best interests of the minor and that no rights of a resident of the Commonwealth will be adversely affected and that removal of the property will not conflict with any limitations upon the right of the minor to such property may direct the locally appointed guardian to transfer the assets of the minor within his control to a duly qualified guardian or guardians in the jurisdiction where the minor resides

Article XII

Absentees and Presumed Decedents

Section 1201 Proof of Death

(a) Finding of Death When a person domiciled in the Commonwealth disappears and is absent from his place of residence without being heard of after diligent inquiry the court of the county where he last resided aided by the report of a master if necessary upon the petition of any party in interest and if a trustee has been appointed for the absentee at any time during the trusteeship may make a finding and decree that the absentee is dead and of the date of his death provided the notice required by Section 1204 has been given to the absentee

(b) Presumption from Absence When the death of a person or the date thereof is in issue his unexplained absence from his last known place of residence and the fact that he has been unheard of for seven years may be a sufficient ground for finding that he died seven years after he was last heard of

(c) Exposure to Specific Peril The fact that an absentee was exposed to a specific peril of death may be a sufficient ground for finding that he died less than seven years after he was last heard of

(d) Competency of Witnesses All persons shall be competent to testify concerning the death or disappearance of an absentee regardless of relationship by marriage to him or of interest in his estate

Section 1202 Trustee for Absentee

(a) Appointment When a person domiciled or having property in the Commonwealth disappears and is absent from his last known place of residence for a period of one year without being heard of after diligent inquiry the court of the county where the absentee last resided or if a nonresident the court of the county where any of his property shall be located aided by the report of a master if necessary upon the petition of any person who would be a party in interest were the absentee deceased or of any insurer or creditor of the absentee after notice as provided in Section 1204 upon good cause being shown may find that the absentee's property requires protection and that he was last heard of on a date certain and may appoint a trustee to take charge of his estate The absentee shall be made a party to the proceeding and any other person who would have an interest in the property of the absentee were he deceased upon direction of the court may be made a party to the proceeding The above period of one year may be shortened in the discretion of the court

(b) Bonds Powers Duties and Liabilities A trustee for an absentee shall give such bond shall be removed and discharged and except as otherwise expressly provided shall have the same powers duties and liabilities in the administration of the absentee's real and personal estate as are provided in this Act with respect to a guardian

in the administration of a minor's estate and in addition shall have the right to pay premiums on policies of insurance insuring the life of the absentee and with the approval of the court to pay or expend and apply so much of the absentee's property or the income therefrom as may be necessary for the support of anyone whom the absentee if living would be under a legal duty to support or for the education of his minor children He shall not have the power to sell or dispose of any asset of the estate or to enter into any lease without prior court approval

(c) Temporary Trustee Upon the filing of a petition for the appointment of a trustee for an absentee the court if it finds it necessary to protect the property of the absentee may appoint a temporary trustee to take charge of it and to conserve it in the manner directed by the court pending a hearing on the petition The temporary trustee shall give such bond as the court shall require Should a permanent trustee be appointed the temporary trustee shall deliver to the permanent trustee all property of the absentee in his possession less such as may be necessary to cover his expenses and compensation as allowed by the court shall file his final account and upon its confirmation may be discharged Should the petition for a permanent trustee be denied the court shall make appropriate orders for the disposition of the property

Section 1203 Distribution of Property of Absentee Upon the entry of a decree establishing the death of a person domiciled in the Commonwealth based in whole or in part upon his absence from his place of residence the real and personal property of the absentee shall be administered by his personal representative as in the case of other decedents However the personal representative shall make no distribution of such property to the persons entitled thereto by will or by intestacy nor shall such persons acquire indefeasible title thereto except under decree of court The court in awarding distribution shall require that a refunding bond with or without security and in such form and amount as the court shall direct shall be executed by each distributee and filed with the clerk The bond shall be conditioned that if it shall later be established that the absentee was in fact alive at the time of distribution the distributee upon demand will return the property received by him or if it has been disposed of will make such restitution therefor as the court shall deem equitable Should a distributee not execute the bond the court shall appoint a trustee to receive and hold his share until further order of the court

Section 1204 Notice to Absentee The court if satisfied concerning the interest of the petitioner shall cause to be advertised in a newspaper of general circulation in the county of the absentee's last known residence and in the legal journal if any designated by rule of court for the publication of legal notices once a week for four successive weeks and to be otherwise advertised as the court according to the circumtsances of the case shall deem advistable the fact of such application together with notice that on a specified day which shall be at least two weeks after the last appearance of any such advertisement the court or a master appointed by the court for that purpose will hear evidence concerning the alleged absence including the circumstances and duration thereof

Section 1205 Search for Absentee The court on its own motion or upon the application of any party in interest may direct the trustee to search for the absentee in any manner which the court shall deem appropriate or may appoint a master investigator or appropriate agency to do so The expenses of such a search shall be paid out of the property of the absentee

Article XIII

Sureties

A Rights in Administration

Section 1301 Agreement Concerning Deposit of Assets A fiduciary may agree with his surety for the deposit of any or all moneys or other assets of the estate with a bank or bank and trust company or other depository approved by the court if such deposit is otherwise proper on such terms as to prevent the withdrawal of such moneys or other assets without the written consent of the surety or on order of the court made on such notice to the surety as the court may direct

Section 1302 Notice Except as otherwise provided by contract the surety of every fiduciary shall be entitled to written notice by the fiduciary of all accountings and of other court proceedings in which the fiduciary is a party The fiduciary's failure to give the notice hereby required shall not affect the rights or remedies of claimants and other parties in interest against the surety

Section 1303 Participation in Administration The surety of a fiduciary may intervene in any proceeding which may affect the liability of the fiduciary and shall have the right to except to and appeal from any action which may affect the fiduciary's liability When the court has finally determined the liability of the fiduciary the surety shall not be permitted thereafter to deny such liability in any proceeding to determine or enforce his individual liability whether or not he received notice of the proceedings which established the liability of the fiduciary

Section 1304 Information from Fiduciary-Accounting Upon the application of his surety every fiduciary shall make available to him his complete files and records relating to the administration of the estate The surety shall have the same right as a party in interest to enforce the filing of a court accounting and the performance of any duty of the fiduciary's office

Section 1305 Release of Surety Before Discharge of Fiduciary For good cause the court upon the petition of any surety of a fiduciary may order the surety's release and require the fiduciary to procure a new surety In such case the original surety shall remain liable for all breaches of the obligation of the bond occurring prior to the execution of the bond by the new surety and his approval by the court but not for breaches thereafter

B Enforcement of Bond

Section 1311 Suits on Bonds Any bond of a fiduciary shall be in the name of the Commonwealth for the use of those interested in the estate Suit may be brought thereon by any person interested therein as provided by law

Section 1312 Nonresident Surety If a surety is or becomes a nonresident of the Commonwealth the execution of the bond of a fiduciary or the act of becoming a nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process may be made as to all causes of action relating to the administration of the estate or the surety's liability on the bond

Article XIV

Repealer

Section 1401 (a) Specific Repeals The following Acts and parts of Acts and all amendments of each are hereby repealed except as respectively indicated

(1) The Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharges and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchast of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the

curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitutions of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" absolutely with the following exceptions

(i) Section 10 on the advertisement of grant of letters Section 24 on the jurisdiction of the orphans' court for collection of legacies Section 41 on investments by fiduciaries Section 46 (b) on the appointment of examiners Section 46 (d) on the register's duties concerning the transmission and advertising of accounts and the expenses thereof Section 46 (g) on the jurisdiction of the orphans' court over trustees and of the accounts thereof Section 46 (i) on notice of filing of trustees' accounts Section 47 (a) on rules of court concerning audits and Section 48.1 on apportionment of taxes

(ii) All provisions thereof as applied to the estates of decedents dying before the effective date of this Act

(iii) All provisions thereof applying to trust estates and minors when in the instances listed in clauses (2) and (3) of Section 105 hereof existing laws are to remain in full force and effect

(2) The Act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 475) entitled "An Act requiring nonresidents to appoint a local attorney-in-fact before taking out letters testamentary or of administration" absolutely except as applied to appointments made upon the granting of letters in the estate of a decedent dying before the effective date of this Act

(3) The Act approved the twelfth day of June one thousand nine hundred and thirty-one (P. L. 556) entitled "An Act relating to the settlement of the estates of deceased minors" absolutely except as applied to estates of minors dying before the effective date of this Act

(4) The Act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 871) entitled "An Act defining the liability of persons signing instruments in writing in a fiduciary capacity regulating actions on such instruments and execution on judgments obtained in such actions and excepting certain actions from the provisions of said Act" so far as it relates to written instruments of fiduciaries subject to the jurisdition of the orphans' court but not so far as it relates to written instruments executed prior to the effective date of this Act or to written instruments of personal in the estate of a decedent dying before the effective date of this act

(b) General Repeal All other Acts and parts of Acts inconsistent herewith are hereby repealed

(c) Saving Clause This Act shall not repeal or modify any of the provisions of the following Acts or parts of Acts or any of their amendments

(1) The Act approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 468) entitled "An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto"

(2) Sections 902 and 904 of the Act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts"

(3) The Act approved the twentieth day of March one thousand nine hundred forty-two (P. L. 13) entitled "An Act to provide relief in cases where fiduciaries are in military service authorizing the court to appoint a substituted fiduciary pro tem in such cases or to allow the remaining fiduciaries to act authorizing security to be entered by and compensation paid to such substituted fiduciaries pro tem and regulating the powers and liabilities of the fiduciary in military service and of the substituted fiduciary pro tem"

(4) The Act approved the tenth day of April one thousand nine hundred and forty-five (P. L. 187) entitled "An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees" or its amendment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. President, before the roll is called on this bill, I would like to say to the Members of the Senate that this is another one of the amendments for re-codification of the Fiduciaries Code which was started in 1945. A group of very distinguished citizens of Pennsylvania who are not Members of the General Assembly have devoted a great many hours of their time and talent to the re-codification of what we call in law the seventh sister acts of our Orphans Court practice. They have been unselfishly devoted to promulgating for future generations of Pennsylvanians one of the finest Orphans Court Code in this great republic. Those of us who are voting for this bill are merely putting our stamp of approval on a very fine work and certainly shall be a memorial to the men who have devoted so much of their time and effort to it.

Mr. President, I want them to know that we here in the Senate deeply appreciate their contribution to this legal cause.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,

Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel.	Wood, T. N.,
Farrell.	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 882, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 337) is hereby further amended to read as follows

Section 203 Contents Delivery Effect and Life of Certificate of Title

(a) A certificate of title shall contain such description and other evidence of identification of the motor vehicle trailer or semi-trailer for which it is issued as the secretary may deem necessary together with a statement of any liens or encumbrances which the applicant may show to be thereon together with the name and addresses of the holder or holders of any such liens or encumbrances [If the motor vehicle is a motor bus other than those designated in section 707 herein as classes A and B or a commercial motor vehicle the certificate of title shall not describe by number or otherwise the motor or engine in said motor bus or commercial motor vehicle]

Section 2 Sections three hundred one and three hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 301 Possession or Operation of a Motor Vehicle Trailer or Semi-Trailer with Defaced Numbers It shall be unlawful to have possession of or to operate a motor vehicle trailer or semi-trailer on which the manufacturer's serial number [or engine number] has been omitted obliterated or defaced Provided however That this shall not affect those persons authoried by law to have in their possession motor vehicles trailers or semi-trailers on which the manufacturer's serial number [or engine number] has been omitted obliterated or defaced

Penalty Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of two-hundred ($200) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 302 Special Number Plate

(a) No Motor vehicle trailer or semi-trailer on which the manufacturer's serial number [or engine number] has been omitted obliterated or defaced shall be titled without special permit from the secretary

(b) Before a certificate of title for any such motor vehicle trailer or semi-trailer can be obtained the owner shall apply to the secretary for a special number plate on a form furnished by the department which shall contain the full name and actual or bona fide address of the owner the date of purchase of such motor vehicle trailer or semi-trailer the name and address of the person from whom it was purchased together with satisfactory evidence that the [engine or] manufacturer's serial number was not removed for the purpose of concealing the identity of such vehicle trailer or semi-trailer and shall be sworn to before a notary public or other officer empowered to administer oaths The secretary shall furnish a special number plate which shall be immediately placed on the component part from which the original number was destroyed removed covered altered or defaced and the certificate of title will not be valid until this special number requirement has been complied with Such special number shall be preceded by the letter "S" and followed by "Pa"

Section 3 Sections three hundred three and three hundred four of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) are hereby repealed

Section 4 Subsection (a) of section three hundred five and section three hundred six of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 305 Officer to Seize Motor Vehicle Trailer or Semi-Trailer Having Defaced Numbers Authority to Dispose of Same

(a) It shall be the duty of every peace officer having knowledge of a motor vehicle trailer or semi-trailer on which the [engine number or] manufacturer's serial number has been destroyed removed covered altered or defaced to immediately seize and take possession of

U. OF ILL. LIB.

such motor vehicle trailer or semi-trailer and arrest or file information for the arrest of the supposed owner or custodian thereof It shall be the duty of the court to retain in custody the seized motor vehicle trailer or semi-trailer pending prosecution of the person arrested and in case such person shall be guilty said motor vehicle trailer or semi-trailer shall remain in the custody of the court until the fine and costs of prosecution shall be paid Provided however if ninety (90) days have elapsed after judgment has been rendered and such fine and costs have not been paid the court shall proceed to advertise and sell said motor vehicle trailer or semi-trailer in the manner provided by law for the sale of personal property under execution

The proceeds from such sale shall be used to pay the fine and costs of prosecution and the balance if any shall be forwarded to the department and same shall be transmitted to the State Treasury and credited to the "Motor License Fund"

Section 306 Sale of Motor Vehicle Trailer or Semi-Trailer with Defaced Number

Any person selling or offering for sale in this Commonwealth a motor vehicle trailer or semi-trailer on which the [engine number or] manufacturer's serial number has been destroyed removed covered altered or defaced with knowledge of said destruction removal covering alteration or defacement of said [engine number or] manufacturer's serial number shall be guilty of a felony and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of five thousand ($5000) dollars and costs of prosecution or undergo imprisonment for not more than ten (10) years or suffer both such fine and imprisonment

Section 5 Subsection (a) of section four hundred two of said act as last amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 402 Application for Registration

(a) Application for the registration of a motor vehicle trailer or semi-trailer shall be made to the department upon a form furnished by the department The application shall contain the full name and the actual or bona fide address of the owner or owners together with the name manufacturer's serial number [engine number] the character of the motive power and the horsepower or seating capacity and in the case of commercial motor vehicles the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorijed by said corporation copartnership or association to sign the same and shall be accompanied by the fee provided in this act

Section 6 Subsection (a) of section four hundred five of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 405 Registration Cards

(a) The department upon registering a vehicle shall issue to the owner a registration card which shall contain the registration number assigned to the owner and to the vehicle the name and address of the owner also a description of the vehicle including the [engine and] manufacturer's serial [numbers] number thereof and such other statement of facts as may be determined by the department [Where the vehicle registered is a motor bus designated in section 707 as class C D or E the registration card shall not include the engine number]

Section 7 Subsections (c) and (f) of section four hundred eleven of said act as last amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) are hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards

* * * * *

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number [engine number] the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same

* * * * *

(f) The secretary may allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card Temporary registration cards may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promgulated by the secretary under authority of this subsection Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make [engine number] and manufacturer's serial number of the vehicle from which transfer of registration is desired and the make [engine number] and manufacturer's serial number of the vehicle that has been purchased the date of issuance of such temporary registration card and any other information that the secretary may require The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,

Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 909, as follows:

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled "An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties" empowering salary board to fix the number of deputies and their salaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled "An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties" is hereby amended to read as follows

Section 2 The sheriff is authorized to appoint one or more deputies as may be deemed necessary for the performance of the duties of his office The number of deputies and their salaries payable by the county shall be fixed by [a salary board composed of the county commissioners and the sheriff] the salary board of the county

[Any sheriff dissatisfied with the action of the salary board in fixing the number and salaries of deputies shall have the right to appeal from the decision of the board to the court of common pleas and shall have the merits of his appeal fully heard and considered The decision of the court fixing the number and salaries of such deputies shall be final]

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 4, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania with the approval of the Governor to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 7, entitled:

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first violations of said act summary offenses instead of misdemeanors and changing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act to further amend section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 9, entitled:

An Act to further amend section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 10, entitled:

An Act to amend section four of the act approved the third day of March one thousand nine hundred twenty-five (P. L. 10) entitled "An act relating to fruit syrups and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded fruit syrups and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 11, entitled:

An Act to amend section three of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 929) entitled "A supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-three entitled 'An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof' defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof and providing penalties" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 12, entitled:

An Act to amend section four of the act approved the twenty-first day of March one thousand nine hundred twenty-three (P. L. 28) entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof' making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 13, entitled:

An Act to amend section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent ot sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 14, entitled:

An Act to amend section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any substance or article possessing a preservative or coloring character or action making the same a misdemeanor and to prescribe penalties and punishment for violations and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 15, entitled:

An Act to amend section twelve of the act approved the twenty-sixth day of June one thousand nine hundred nineteen (P. L. 670) entitled "An act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 16, entitled:

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 17, entitled:

An Act to amend section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" making first violation of said act summary offenses instead of misdemeanors and changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on second reading, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on second reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on second reading, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 108, entitled:

An Act to further amend subsection (b) of section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by authorizing the board to approve additional places of storage for malt or brewed beverages by certain licensees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 155, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. WALKER. Mr. President, I desire to explain to the Members of the Senate this motion to commit which we are about to make. On the Senate Calendar today there are three bills, all of them dealing with the same subject matter, to wit, a Joint Resolution proposing an amendment to Article 8 of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans. On page 17 of the Calendar there is also Senate Bill No. 222 sponsored by the gentleman from Lackawanna, Senator Donlan. The bill now under consideration is sponsored by the gentleman from Chester, Senator Scarlett. Also on the Senate Calendar is House Bill 304, Printer's No. 68, co-sponsored by Dr. Sarraf and George Cooper of the House, both from Allegheny County, each of whom are representatives of different major political parties and inasmuch as all three bills contain the same subject matter, and the one bill has already passed the House, it was determined in the Republican Caucus that we would accept the House measure and proceed to act upon it and withdraw the bills sponsored by Senator Scarlett and Senator Donlan.

Mr. President, this recommendation is approved by the sponsors of the two Senate bills that will be recommitted today, because they are more interested in achieving the results to be obtained rather than the pride of authorship in the bill, and we appreciate very much their cooperation in attempting to give to the hospitalized war veterans the opportunity of having absentee voting.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 155, recommitted to the Committee on Constitutional Changes and Federal Relations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasury of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 186, entitled:

An Act to amend section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 189, on second reading, entitled:

An Act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth prescribing their powers and duties fixing their compensation and providing procedures for transmission and settlement of certain moneys

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 222, on second reading, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

be recommitted to the Committee on Constitutional Changes and Federal Relations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse hospitals for part of the cost of training student nurses in approved schools of nursing

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment: Amend Section 1, page 1, line 4 by inserting at the end of the line the words: "State aided".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment: Amend title, page 1, line 2 of title, by inserting at the beginning of the line the word: "State aided".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 252, on second reading, entitled:

An Act to amend the title and to further amend sections three and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustes the Department of Welfare and courts and imposing certain charges on counties" by providing for the reception care maintenance detention employment and training of psychopathic delinquents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class boroughs towns and townships to carry out certain of their governmental functions in a more efficient manner prescribing the officers and powers and duties of such districts and the duties of participating municipalities and conferring jurisdiction on courts of quarter sessions in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 304, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 306, on second reading, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class providing for obtaining full benefits by contributors heretofore or hereafter making such change and imposing duties on the board in respect thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 327, on second reading, entitled:

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof and by further regulating insurance in connection with such sales

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 333, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 357, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by empowering counties to set apart lands and buildings and to acquire real estate by lease purchase or gift for use as fair-grounds authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds including the appropriation of funds the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No 379, entitled:

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 389, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 450, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further defining the scope of the act and by authorizing nonprofit medical and osteopathic service corporations to provide osteopathic services by doctors of osteopathy to subscribers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 451, on second reading, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authoriing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 474, on second reading, entitled:

An Act providing for the payment of the compensation medical and hospital expenses of employes of cities of the second class who are injured in the performance of their duty and providing that absence during such injury shall not reduce any sick leave periods authorized by law or regulation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act to amend section one thousand four hundred twenty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by setting forth the qualifications of school nurses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 571, on second reading, entitled:

An Act to further amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 577, on second reading, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing that stock issued upon any increase of capital made by any stock insurance company may be exchaged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 579, on second reading, entitled:

An Act to amend section four hundred twenty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the salaries of the chairman and members of the Pennsylvania Securities Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 628, on second reading, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidatig the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance authorized but unissued stock to officers and employes of company or subsidiary upon approval of majority of stockholders

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 640, on second reading, entitled:

An Act to repeal section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" relating to the right of certain mutual fire insurance companies to become stock companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 642, on second reading, entitled:

An Act to amend section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating reserves with respect to domestic mutual fire insurance companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 655, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 657, on second reading, entitled:

A Supplement to the act approved the first day of June one thousand nine hundred forty-three (P. L. 798) entitled "An act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation" by authorizing the Governor to enter into an amendment of the Atlantic States Marine Fisheries Compact providing that two or more states may constitute their representatives on such commission as a joint agency for the regulation of specific fisheries in which they have a common interest and may delegate to such agency such responsibility and duties as they many mutually agree upon

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 660, on second reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause treatment prevention and cure of the various types of

nervous disorders and mental diseases and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 661, on second reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction and furnishing of building space to be used for instruction and dormitory purposes in the training and housing of nurses who are in training in the University or serving in the hospitals comprising the Medical Center of the University of Pittsburgh and also those nurses employed and in training in the Western State Psychiatric Institute and Clinic

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 667, entitled:

An Act authoriing the Department of Property and Supplies with the approval of the Governor to sell the tracts of land with the improvements thereon occupied by the former Pennsylvania Maritime Academy in Bucks County and providing for the disposition of the proceeds of such sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President. I ask unanimous consent that Senate Bill No. 711, on second reading, entitled:

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act to further amend section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by exempting scheduled common carriers by air of mail and passengers from license requirement

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 743, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the second time and agred to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 755, on second reading, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and shall be determined" by increasing the salaries of members of the State Athletic Commission

go over in its order.

The PRESIDENT. Is there objection The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 764, entitled:

An Act authorizing the Department of Health to establish and operate a health program to relieve children suf-

fering from cleft palate or harelip and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 764, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 910, on second reading, entitled:

An Act to further amend section seventy-five of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" by authorizing sheriffs deputy sheriffs and wardens to guard prisoners employed on county grounds and buildings and providing for their compensation.

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act to further amend section nine of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by allowing credit for prior service in certain cases

And said bill having been read at length the second time and agred to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut-off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1041, entitled:

An Act to amend sections four and eight of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1044, entitled:

An Act to amend the title of and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1045, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties the powers granted therein clarifying and extending the

provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 366 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar, on page 35, Senate Bill No. 366, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first and second class authorizing the recording and copying of documents plates papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1, page 2, line 2, by striking out the words "and second."

Amend Sec. 1, page 2, line 3, by striking out the words "and second."

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 4, page 4, line 7, by striking out the words "Pennsylvania Historical and Museum Commission" and inserting in lieu thereof: "court of common pleas of the proper county."

It was agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 6, page 5, line 1, by striking out the word "both."

Amend Sec. 6, page 5, lines 1, 2 and 3, by striking out the words "and the" in line 1, all of line 2, and the word "noted" in line 3.

Amend Sec. 6, page 5, line 6, by striking out the word "both."

Amend Sec. 6, page 5, lines 6 and 7, by striking out the words "and the Pennsylvania His-" in line 6 and all of line 7.

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 7, page 5, line 13, by striking out the words "Pennsylvania Historical and Museum Commission" and inserting in lieu thereof: "county commissioners of the proper county."

Amend Sec. 7, page 5, line 15, by striking out the word "both."

Amend Sec. 7, page 5, line 16, by striking out all of said line.

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 8, page 6, line 6, by inserting after the word "Revenue" the following: "and credited to the appropriation from which the expense incurred by the Department of Property and Supplies was met."

It was agreed to.

The section was agreed to as amended.

The ninth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend title, page 1, line 2 of title, by striking out the words "and second."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 366, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 654 CALLED UP

Mr. WALKER. Mr. President, I call up, on page 7 of

the Third Reading Calendar, Senate Bill No. 654, for consideration at this time.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, my colleague from Philadelphia, Senator Rosenfeld, who is very much interested in this bill, is very ill at this time. He has asked me to appeal his case to this Body to have this bill go over until Monday. Now we have always extended that courtesy to our colleagues. I see no immediate rush in passing this bill today. I know nothing about it. However, I do feel, because of the request of the gentleman from Philadelphia, Senator Rosenfeld, that the majority should grant that request, and I trust that they will, on behalf of my appeal for Senator Rosenfeld, allow this bill to go over until Monday afternoon.

Mr. WALKER. Mr. President, I am very sorry that I cannot agree to the request of the gentleman from Cambria. I appreciate the fact that Senator Rosenfeld is deeply interested in this legislation, and I know that every Member of the Senate, as well as the personnel, are sorry and sympathize with him in his illness. Unfortunately, the problem of legislation and problems of the kind we are trying to settle, give me no choice in the matter, and I am obliged at this time to insist that the Senate consider at this time Senate Bill No. 654.

Mr. President, I trust I will have the opportunity of extending to Senator Rosenfeld my very sincere apologies in person on his return to the Senate Monday, but I know that he has campaigned for a long time, and he will understand that this is simply a matter of necessity.

Mr. STIEFEL. Mr. President, one of the most untimely of all of nature's hours for the delivery of speeches in the Senate of Pennsylvania is 6:30 in the evening, because most of the Senators are hungry and tired, and they are not in the mood to listen to speeches.

Mr. President, I intend to deliver a speech on this measure and I do not want to bore my colleagues and encroach upon their hours of rest. For that reason, I would suggest that the bill go over until tomorrow so that I can entertain them tomorrow with my speech.

Mr. WALKER. Mr. President, I know of no other Member of this august body that I would rather listen to than to the gentleman from Philadelphia, Senator Stiefel. His learned discussions on matters pertaining to legislation have been a source of information and enjoyment to all of us. I do not know what other cocktail I would enjoy more than a 6:30 speech from the gentleman at this time.

However, Mr. President, as deeply as it grieves me, I must decline to postpone action on this bill, and I ask that the bill be considered at this time. If the gentleman cares to, we will now have his 6:30 message.

Mr. STIEFEL. Mr. President, I still believe that the gentlemen on the other side are entitled to their rest, and I would suggest that we adjourn until nine o'clock, at which time I will be here to entertain the crowd.

Mr. WALKER. Mr. President, perhaps I should get this down to the language I understand the most. We will not postpone action on this bill.

Mr. DENT. Mr. President, I know that it is imperative that the bill be passed while the Republican City Chairman of Philadelphia is in the room, and I think it is proper to do so in order that full and just credit be given to those who are doing the expediting here this afternoon. However, there are some things that have always remained in the Senate that I hope we do not lose sight of today. I have never yet been put in the position where a Member of either side of the Senate has asked for a courtesy that cannot be extended without costing the Commonwealth of Pennsylvania a cent or a moment of worry or unrest.

Mr. President, Senator Rosenfeld has from the very beginning of this Session been selected as our chief spokesman on this particular legislation. Senator Stiefel and he have worked together in order that they would be able to take this piece of legislation and give the Minority viewpoint. It is distinctly unfair, Mr. President, while Senator Rosenfeld is sick at home, to have passed this legislation in his absence. There is not anything that we can do to this legislation that will have anything to do with the ultimate fate of the legislation.

The only position, Mr. President, I am trying to put to the Chair and to the Members of the Senate is that a man is entitled to be heard when he feels so deeply about a subject that affects his particular Senatorial District, whether it be a Republican or a Democrat. I have never yet been in a position where that courtesy has been denied. I do not think the Members of the Senate want to start a precedent now that may come back later and haunt each and every one of us.

Mr. WALKER. Mr. President, again I apologize very humbly to the gentleman from Westmoreland, Senator Dent. Up to this point he and I have not differed on anything except the selection of horses at Bowie.

Mr. President, I regret that this slight difference of opinion arises. I know that he appreciates the fact, as I said to the gentleman from Philadelphia, Senator Stiefel, that we are very, very sorry about Senator Rosenfeld's illness, but we must insist upon action on the bill at this time.

Mr. HALUSKA. Mr. President, we have kindly asked that this bill go over. It seems that might makes right in this body Oftentimes we wonder why the Minority is compelled to resort to the Constitution to receive their protection, and we have Members here right now who want the bills read at length.

Mr. President, once again we will start something that is uncalled for. Our request is very, very mild. We are asking for one day's delay to keep harmony in this body. I see no good reason why it cannot be granted, and I think it is very unfair and uncourteous. Certainly no harm can be done by extending this Senatorial courtesy, and putting the bill over for one day. So, if we are compelled to avail ourselves of our constitutional right, please do not feel offended.

(The Senate was at ease.)

Mr. WALKER. Mr. President, out at the University of Pittsburgh we use the single wing formation. We have found it very effective in power plays. Some people say that it is not very good for deception, especially on a screen pass. I know, Mr. President, that you will understand, when I say that I yield the floor to the distinguished quarterback from the City of Philadelphia, Senator Kephart.

Mr. KEPHART. Mr. President, I, too, am very sorry about Senator Rosenfeld's illness. However, I do not think that it would detract from any publicity that he might get. He has already spoken on these bills in Philadelphia over radio and television, and at several dinner meetings, and he could not say any more now than he has already said, and all his tactics on those occasions have been in the category of obstructionism. He and some other Democrats are trying to obstruct this program, and this is just another step in that direction.

Now, Mr. President, I am willing to yield to that obstructionism until Monday if that is what they want.

Mr. DENT. Mr. President, there are times when words are used in the heat of a battle on the floor of the Senate that would be better left unsaid. These are not tactics of obstructionism. They are the normal tactics in a legislative body.

Mr. President, every time a motion is made to recommit a piece of legislation or to hold a bill on the calendar, it is termed obstructionism, then we can justly accuse the Majority Side of acting in an obstructionistic manner on the question of the nurses legislation that is upon the calendar, and being held over until Monday. None of us on this Side questioned the motives behind that. I think all of us felt that the Majority were acting in its wisdom, and we like to have the same credit but whether our wisdom measures up to that of the Majority, we do not know, but whatever it is we are stuck with it.

Mr. STIEFEL. Mr. President, just to clarify the situation, I do not believe in clairvoyance because sometimes you are mistaken. Now, the gentleman from Philadelphia, Senator Kephart, tried to engage in clairvoyance, and made a mistake.

Mr. President, we are not going to obstruct Senate Bill No. 654. As a matter of fact, it was our intention to vote for the measure, but we felt we would like to delve into this measure and look into all the phases thereof. Now, for that reason I believe that he should withdraw the word "obstructionism."

I am very happy that he yielded, and agreed to postpone it until Monday.

Mr. President, I remember a balmy evening in April 1937, when the late Senator Clarence Buckman questioned one of our stalwarts. He questioned him about a very perplexing bill pertaining to the sinking fund of Philadelphia, and our Member was very reluctant to discuss it, so he got up and in all candor he said, "Senator Buckman, what's the use of arguing? We have the votes, and that is the end of it."

Mr. WALKER. Mr. President, I am now in a position after the elegant speeches by all of the gentlemen from Philadelphia, to request, if there are no objections from the Minority, that Senate Bill 654, Printer's Number 166, go over in order.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 654, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 5 CALLED UP

Mr. WALKER. Mr. President, on page 1 of the Calendar, Senate Bill No. 5, on third reading, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

was put over in its order temporarily. I now ask unanimous consent that Senate Bill No. 5, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 69, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 144, entitled:

An Act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 189, entitled:

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 258, entitled:

An Act to amend Article twelve sections twelve hundred two twelve hundred three and twelve hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 270, entitled:

An Act providing for the oral examination of judgment debtors for the purpose of discovering whether such persons have property which may be made subject to execution on the judgment and conferring powers to compel attendance and examination of such persons upon courts of record

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 283, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Mt Pocono Airport Authority certain property located in Monroe County and commonly known as the "Mt Pocono Airport"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 325, entitled:

An Act to amend section eight hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corportions may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 326, entitled:

An Act relating to forest management and damage caused by improper timber cutting methods resulting in the denuding of vast areas of the Commonwealth and contributing to undue exhaustion of timber supply recurring floods soil erosion and depletion of the water supply providing for the establishing and organization of District Forest Practice Boards and the appointment of their officers prescribing their powers and duties fixing the powers and duties of the Secretary of Forests and Waters relative to the enforcement of this act and providing assistance to such District Forest Practice Boards and woodland owners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes' defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act to promote the welfare of the veterans of this Commonwealth creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to Veterans to establish or continue themselves in business or professions authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act prescribing the powers and duties of said Authority and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 532, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act to add section two hundred seventy-eight point one to the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to further amend the first paragraph of section eight of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by further prescribing the number of eligible employes necessary for municipalities to join said retirement system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 588, entitled:

An Act making an appropriation to the Pennsylvania Aeronautics Commission for the payment of certain moral claims and providing for the hearing adjustment and payment of moral claims of persons whose property is damaged through negligence of employes of the Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 598, entitled:

An Act to amend section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 619, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the Prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for supplemental applications to be filed by persons entering an existing business the fictitious name of which has been filed under said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 673, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certaian State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

An Act to further amend section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by increasing the powers of the Pennsylvania Labor Relations Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 698, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue liquor licenses to airport restaurants without regard to population restrictions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An Act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 721, entitled:

An Act to amend section three of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agnecy of the Commonwealth to carry into effect a project to correct the existing and prevent the furture silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting and dredging operations deemed inimical to the project.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one of more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 723, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common please of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal cor-

porations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings, conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplies and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles; and eliminating expired provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 733, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercse, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corportions subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of injured, ill or dead persons by ambulance; and eliminating expired provisions.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 735, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), enttiled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed

application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof, grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 768, entitled:

An Act to add clause (v) to section two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Extcutive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common please in the thirty-second judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife as subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 783, entitled:

An Act to amend clause (6) of section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 793, entitled:

An Act to further amend section two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the catching and taking of terrapin on Sunday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 813, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 883, entitled:

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 979, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1004, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1192, entitled:

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty days prior to the beginning of trout season in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RE-REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ, from the Committee on Finance, reported as committed, House Bill No. 1134, entitled:

A Supplement to the act, approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

which was re-referred to the Committee on Appropriations.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, March 31, 1949, at 12:00 o'clock M., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:45 o'clock, P. M., Eastern Standard Time until Thursday, March 31, 1949, at 12:00 M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 30, 1949

The House met at 1:00 P. M.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

Reverend D. Frederick Wertz, guest Chaplain, offered the following prayer:

Almighty God, we thank Thee for this hour, pregnant with peril, but poignant with promise.

Teach us the difference between the clear call of conscience and the catcalls of confusion. And when we know the difference, give us enough backbone to stand for the right.

Save us from our selfish pride. Save us for sacrificial service.

Bless with Thy presence the deliberations of this hour. May the light of Thy truth illumine the dark paths of discord and misunderstanding. Then may discord dissolve into harmony and misunderstanding give way to mutual concern for the welfare of humanity, in the Spirit of Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, March 29, 1949.

The Clerk proceeded to read the Journal of Tuesday, March 29, 1949, when, on motion of Mr. HARRY W. PRICE, JR., unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. ROSE. HOUSE BILL No. 1318.

An Act to further amend section one and two of the act, approved the eighteenth day of July, one thousand nine hundred thirty five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by prohibiting the sale of any Benzedrine inhalator or any other Benzedrine derivative without a prescription.

Referred to the Committee on Public Health and Sanitation.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. FLEMING and GIBSON.

RESOLUTION No. 47.

In the House of Representatives, March 28, 1949.

Whereas, The interests and rights of posterity require that the forest lands of Pennsylvania be preserved and expanded, and

Whereas, There exists vast areas of cleared land suitable to reforestation, which are being neglected because the owners are unable to assume the enormous task of turning such land to reforestation, and

Whereas, It is the duty of the Commonwealth of Pennsylvania to assume this task; therefore be it

Resolved, That the Joint State Government Commission study the problems of reforestation, and study the feasibility and practicability of a plan, whereby the Commonwealth of Pennsylvania would assume a trusteeship of these lands for the purpose of reforestation; and be it further

Resolved, That the Joint State Government Commission submit a report of its study together with a draft of the legislation necessary to achieve the ends that the report recommends to the next General Assembly.

Referred to the Committee on Rules.

HISTORICAL SOCIETY OF ALLENTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming to the Hall of the House students of the Historical Society of the Allentown High School under the supervision of Miss Kistler and Miss McConnell. They are the guests of the gentlemen from Lehigh, Mr. Stimmel, Mr. DeLong and Mr. Hoffman.

DERRY TOWNSHIP, MIFFLIN COUNTY, HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming the senior class in Problems of Democracy of the Derry Township, Mifflin County, High School. There are fifty-three members present under the supervision of Mr. Gerald Woomer the instructor. They are the guests of the gentleman from Mifflin, Mr. Harry W. Price, Jr.

MIDDLEBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes to the Hall of the House the Senior Class in Problems of Democracy of the Middleburg High School under the supervision of their supervising principal Dr. Marberger and their Science teacher, Mrs. John S. Shindler. They are the guests of the gentleman from Snyder, Mr. Ferster.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member of the House, the gentleman from Fayette, Honorable J. Harold Arnold.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to make a brief statement, and will the members of the Press please note.

I have received a request from sources that I cannot, by reason of either parliamentary or official courtesy, ignore, that I do not today present a discharge resolution in connection with the pending F.E.P.C. legislation. I have been, as I say, requested from sources that I cannot ignore to delay again offering this resolution until next Tuesday, and then I have—I would not care to use the word permission, but an agreement that if there is not at that time F.E.P.C. legislation submitted to the House or a bill reported out, that then I will offer the motion to discharge, and I believe with substantial support.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 566

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 566, Printer's No. 216, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. BRUNNER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. CHARLES C. SMITH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner vote on the final passage of this bill?

Mr. BRUNNER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Smith vote on the final passage of this bill.

Mr. CHARLES C. SMITH. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BRUNNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRUNNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 8, page 19, line 15, by inserting after the word "president" and before the word "and" the following: "a treasurer".

Amend Section 8, page 19, line 15, by inserting after the word "and" and before the word "secretary" the following: "a".

Amend Section 8, page 19, line 17, by inserting after the word "president" and before the word "and" the following: "a treasurer".

Amend Section 8, page 19, line 17, by inserting after the word "and" and before the word "secretary" the following: "a".

Amend Section 9, page 20, line 13, by striking out at the end of the line after the word "of" the following: "any au-" and inserting in lieu thereof the following: "the Au-".

Amend Section 11, page 22, line 16, by striking out after the word "Authority" the following:

Such leases may provide for transfer

Amend Section 11, page 22, by striking out lines 17 to 20, inclusive.

Amend Section 11, page 23, by striking out lines 1 to 3, inclusive.

The SPEAKER. Will the House give unanimous con-

sent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 162.

An Act to amend section one of the act approved the twenty-second day of March one thousand nine hundred seven (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" by increasing the allowance of expenses and compensation to counsel

SENATE BILL No. 181.

An Act declaring bonds issued by the State Public School Building Authority legal investments for the School Employes' Retirement Fund.

SENATE BILL No. 217.

An Act to further amend the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled, as amended "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by further defining municipal police force.

SENATE BILL No. 239.

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales

SENATE BILL No. 370.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania; authorizing agreements between Redevelopment Authorities and local taxing authorities; limiting for a term not exceeding twenty-five years, the amount of annual taxes to be levied upon land acquired for urban redevelopment.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. ERB asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. FOX for himself for tomorrows session.

Mr. NOGEL for himself for tomorrows session.

Mr. Evans for Mr. ROVANSEK for the remainder of the week.

Mr. BRETH for himself for the remainder of the week.

REPORTS FROM COMMITTEES

Mr. McKINNEY from the Committee on Judiciary, reported as committed, House Bill No. 458, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania.

Mr. SNIDER from the Committee on Welfare, reported as committed House Bill No. 529, entitled:

An Act to further amend a part of section one hundred and three of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental disease, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by further defining "qualified physician."

Mr. JIM from the Committee on Boroughs, reported as committed, House Bill No. 597, entitled:

An Act to further amend section two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring additional signatures on petitions for incorporation in certain cases.

Mr. BRETH from the Committee on Game and Forestry, reported as committed, House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

Mr. CLARENCE E. MOORE from the Committee on Appropriations, reported as committed, House Bill No. 692, entitled:

An Act to amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions, for the use of the Commonwealth, and providing for the collection thereof," by exempting therefrom appropriations made to land grant colleges of Pennsylvania.

Mr. TAHL from the Committee on City and County—First Class reported as committed, House Bill No. 719, entitled:

An Act to further amend section one of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 197), entitled "An act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth," by increasing the value for which materials or commodities may be purchased or procured without public advertisement for bids and without entering into written contracts.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 762, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes, and providing for payment thereof to counties making like expenditures of county funds.

Mr. ROYER from the Committee on State Government, reported as commited, House Bill No. 1053, entitled:

An Act to amend the title and further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects; to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments," by extending the act to all cities; changing the scope of the field of operation of a county authority; providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor; and transferring the administration of the act from the State Board of Housing to the State Planning Board.

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 1056, entitled:

An Act to amend the title and sections three, fourteen and twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 704), entitled "An act to promote the public health, safety, morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions, and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals, or sold; providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing; providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health, and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof; defining the rights, powers and duties of such companies, and of persons investing in or dealing with such companies; authorizing such companies to lease and operate, or to manage projects of any housing authority, and borrow money from agencies of the United States Government; exempting all such companies from the payment of any capital stock tax; making certain securities of such corporations legal investments for funds in the hands of municipal officers, insurance companies and associations, savings banks and savings institutions; authorizing certain existing companies to accept the provisions of this act; and repealing inconsistent acts," by transferring supervision and regulation of such companies to the State Planning Board.

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 1054, entitled:

An Act to amend the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas thoughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies or obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties and on certain State officers, boards and departments," by substituting the State Planning Board for the State Board of Housing.

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 1057, entitled:

An Act to amend sections three and four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-seven (P. L. 888), entitled "An act to authorize cities, boroughs, towns, townships, counties, and other public bodies to aid housing projects of housing authorities, or of the United States of America, by furnishing parks, playgrounds, streets and other improvments and facilities by exercising certain other powers, and by making agreements relating to such aid; to authorize cities, boroughs, towns, townships, and counties to contract with respect to the sums to be paid them for improvements, services, and facilities to be provided for the benefit of housing projects, and the occupants thereof; to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities; and to authorize certain cities, boroughs, towns, and counties to pay moneys to housing authorities," by removing any ambiguity as to the powers of a State public body with respect to long term agreements, and changing definition of term "Housing Project."

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and ad-

ministrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by reconstituting the State Planning Board; and changing its functions.

Mr. ALTSHULER from the Committee on City and County—First Class, reported as committed, House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

Mr. McCORMACK from the Committee on City and County—First Class, reported as committed, House Bill No. 1187, entitled:

An Act to further amend section one and to amend section five of article three, and to add article twenty-six to the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for better government of cities of the first class of this Commonwealth," by creating a Department of Licensing and Inspection; authorizing the transfer to the said department of such licensing and inspection functions as city council may determine and requiring certain officers to file surety bonds.

Mr. SARRAF from the Committee on Appropriations reported as committed, House Bill No. 1254, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College, to acquire certain tracts of land adjacent to Edinboro State Teachers College, in Erie County, Pennsylvania, and making an appropriation therefor.

Mr. ALTSHULER from the Committee on City and County—First Class, reported as committed, House Bill No. 1260, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings; to create Dwelling Inspection Boards in the Department of Public Health in such cities, to require tenancy permits to be issued; and to provide penalties for violations thereof.

Mr. HAMILTON from the Committee on Boroughs, reported as committed, House Bill No. 1268, entitled:

An Act to further amend section two thousand four hundred seventy of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," by authorizing boroughs furnishing electricity to make contracts for the exchange of electrical current among themselves.

Mr. FILO from the Committee on Boroughs, reported as committed, House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the part maintained on said land.

Mr. BOORSE from the Committee on Boroughs, reported as committed House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

Mr. CLARENCE E. MOORE, from the Committee on Game and Forestry, reported as committed, House Bill No. 1287, entitled:

An Act to repeal the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 131), entitled "An act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act." so far as the same relates to Delaware County.

Mr. O'DONNELL from the Committee on City and County—First Class, reported as committed, House Bill No. 1307, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Mr. O'DONNELL from the Committee on City and County—First Class, reported as committed, House Bill No. 1308, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Mr. O'DONNELL from the Committee on City and County—First Class, reported as committed, House Bill No. 1309, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Mr. ROSE from the Committee on Appropriations, reported as committed, House Bill No. 675, entitled:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey within and outside of said Basin empowering such Commission to enter upon lands structures and waters fixing the responsibility for damages resulting therefrom and making an appropriation to such Commission.

Mr. STANK from the Committee on Appropriations, re-reported as amended, House Bill No. 966, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg providing for the development of the said property and making an appropriation.

Mr. HARRY W. PRICE, JR. from the Committee on Military Affairs, reported as committed, Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses

Mr. GRANVILLE E. JONES from the Committee on Welfare reported as committed, Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds.

Mr. GOODLING from the Committee on Game and Forestry, reported as committed, Senate Bill No. 350, entitled:

An Act to amend section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for field trials.

Mr. KOLANKIEWIEZ from the Committee on Military Affairs, reported as committed, Senate Bill No. 439, entitled:

An Act to further amend section ten of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Mr. ROBBINS from the Committee on Military Affairs, reported as committed, Senate Bill No. 440, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand nine hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

Mr. KRATZ from the Committee on Military Affairs, reported as committed, Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Mr. WACHHAUS from the Committee on Welfare, reported as committed, Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by providing for out-patient and psychiatric clinical services and establishing charges

Mr. HEWITT from the Committee on Appropriations, re-reported as committed, House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

Mr. STERNBERG from the Committee on Welfare, reported as committed, Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children, prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the state department of welfare, and the state department of public assistance in respect thereto, abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them, providing for the transfer, vesting sale and disposition of the property of poor districts and the payment of their obligations, imposing certain existing obligations on institution districts and on the Commonwealth, regulating the affairs of poor districts until abolished, revising, amending, changing and consolidating the law relating to the care of the poor and repealing existing laws," by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property.

Mr. MINTESS from the Committee on City and County —First Class, reported as committed, Senate Bill No. 615, entitled:

An Act to repeal Sections, two, seven and eight of the Act approved the eighth day of March, one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births, marriages and deaths in the City of Philadelphia".

Mr. CHARLES C. SMITH from the Committee on Rules, reported as committed, House Resolution No. 33.

Mr. McMILLEN from the Committee on Game and Forestry, reported as amended, House Bill No. 282, entitled:

An Act to amend sections eight hundred fifteen and eight hundred twenty-five of Article VIII of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by further restricting target shooting during the big game season, extending hunting privilege revocation periods for shooting at, wounding, or killing human beings in mistake for wild creatures, and increasing penalties.

Mr. McKINNEY from the Committee on Appropriations, reported as amended, House Bill No. 526, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties; providing for the registration and regulation of persons engaged in the growing, producing and harvesting of apples for profit, and prescribing fees therefor; prescribing penalties; creating a special fund in the State Treasury to be known as the Apple Promotion Fund; and making an appropriation.

Mr. ROSE from the Committee on Appropriations, reported as amended, House Bill No. 943, entitled:

An Act relating to the propagation and growth of nut trees and other trees bearing crops, excluding our present commercial fruit trees in this Commonwealth; providing for the appointment, qualifications, terms and compensation of an Expert Tree Crops Adviser; prescribing his powers and duties; imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto, and making an appropriation.

Mr. ROYER from the Committee on State Government, reported as amended, House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code and repealing certain acts.

Mr. ROYER from the Committee on State Government, reported as amended. House Bill No. 1055, entitled:

An Act providing and regulating State assistance for housing including slum clearance and redevelopment, and making an appropriation.

Mr. SOLLENBERGER from the Committee on Education, reported as amended, House Bill No. 1097, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for transportation of pupils at the expense of the district, and for reimbursement of the district by the Commonwealth for furnishing transportation to pupils.

Mr. LEONARD from the Committee on Welfare, reported as amended, House Bill No. 1289, entitled:

An Act relating to the examination, detention, hearing, commitment, treatment, rehabilitation, probation and discharge of any person who is not insane, but who suffers from such conditions of emotional instability or of impulsiveness of behavior, or who lacks the customary standards of judgment, self-control and discretion or who fails to appreciate the consequences of his acts, or who combine any one or more of such conditions so as to render such person irresponsible and thereby dangerous to himself or to others; imposing certain duties on district attorneys, courts and the Department of Welfare in respect thereto; and providing for payment of maintenance costs and reimbursement in such cases.

Mr. ALTSHULER from the Committee on City and County—First Class reported as amended, Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 458, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 529, entitled:

An Act to further amend a part of section one hundred and three of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by further defining "qualified physicians."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 597, entitled:

An Act to further amend section two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring additional signatures on petitions for incorporation in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey, within and outside of said Basin, empowering such Commission to enter upon lands, structures and waters, fixing the responsibility for damages resulting therefrom, and making an appropriation to such Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions, for the use of the Commonwealth, and providing for the collection thereof," by exempting therefrom appropriations made to land grant colleges of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act to further amend section one of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 197), entitled "An act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth," by increasing the value for which materials or commodities may be purchased or procured without public advertisement for bids and without entering into written contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 762, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes, and providing for payment thereof to counties making like expenditures of county funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1053, entitled:

An Act to amend the title and further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health, safety morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments," by extending the act to all cities; changing the scope of the field of operation of a county authority; providing for the use of State grant or contributions towards payment of bonds and interest and as additional pledge therefor; and transferring the administration of the act from the State Board of Housing to the State Planning Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1054, entitled:

An Act to amend the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and or other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by substituting the State Planning Board for the State Board of Housing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act to amend the title and sections three, fourteen and twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 704), entitled "An act to promote the public health, safety, morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions, and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold; providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing; providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health, and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof; defining the rights, powers and duties of such companies, and of persons investing in or dealing with such companies; authorizing such companies to lease and operate, or to manage projects of any housing authority, and borrow money from agencies of the United States Government; exempting all such companies from the payment of any capital stock tax; making certain securities of such corporations legal investments for funds in the hands of municipal officers, insurance companies and associations, savings banks and savings institutions; authorizing certain existing companies to accept the provisions of this act; and repealing inconsistent acts," by transferring supervision and regulation of such companies to the State Planning Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1057, entitled:

An Act to amend sections three and four of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities, boroughs, towns, townships, counties, and other public bodies to aid housing projects of housing authorities, or of the United States of America, by furnishing parks, playgrounds, streets and other improvements and facilities by exercising certain other powers, and by making agreements relating to such aid; to authorize cities, boroughs, towns, townships, and counties to contract with respect to the sums to be paid them for improvements, services, and facilities to be provided for the benefit of housing projects, and the occupants thereof; to authorize certain cities and counties to make an appropriation for the first year's administrative expenses of housing authorities; and to authorize certain cities, boroughs, towns, and counties to pay moneys to housing authorities," by removing any ambiguity as to the powers of a State public body with respect to long term agreements, and changing definition of term "Housing Project."

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B, of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executives and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by reconstituting the State Planning Board; and changing its functions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1187, entitled:

An Act to further amend section one and to amend section five of article three, and to add article twenty-six to, the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by creating a Department of Licensing and Inspection; authorizing the transfer to the said department of such licensing and inspection functions as city council may determine and requiring certain officers to file surety bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College, to acquire certain tracts of land adjacent to Edinboro State Teachers College, in Erie County, Pennsylvania, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1260, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings; to create Dwelling Inspection Boards in the Department of Public Health in such cities, to require tenancy permits to be issued; and to provide penalties for violations thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1268, entitled:

An Act to further amend section two thousand four hundred seventy of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," by authorizing boroughs furnishing electricity to make contracts for the exchange of electrical current among themselves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the part maintained on said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1287, entitled:

An Act to repeal the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 131), entitled "An act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act," so far as the same relates to Delaware County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1307, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1308, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1309, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all

other assistants and employes of certain departments, boards and commissions shall be determined," by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 350, entitled:

An Act to amend section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for field trials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act to further amend section ten of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers headstones, and flags, and for the compilation of war records," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 440, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled: "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by providing for out-patient and psychiatric clinical services and establishing charges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the state department of welfare and the state department of public assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act to repeal sections two, seven and eight of the Act approved the eighth day of March, one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births, marriages and deaths in the City of Philadelphia."

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member of the House, the gentleman from Butler, Honorable Wilbert D. Imbrie. The Chair is pleased to see the Doctor looking so well.

The SPEAKER. The Chair is also pleased to welcome a former Member from Columbia, Honorable George W. Getchy.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker not that I wish to delay action in the House of Representatives, but let me call to your at-

tention once more the fact that you passed a resolution giving bills first reading when they are reported on the floor of the House. They appear on the calendar the next day on second reading and on Thursday they are on final passage.

Now, in the interest of the people of Pennsylvania, if those are the tactics by which we feel we should work, I say to you at least we should not convene on Thursday; we should adjourn over the weekend to give the people of Pennsylvania an opportunity to find out what is in the legislation that is being passed in the state of Pennsylvania.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS NONCONCURRED IN BY HOUSE TO SENATE BILL No. 53

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to Senate Bill No. 53, entitled:

An Act to amend Article V Section five hundred six Article VII Section seven hundred thirty-one Article IX Clause (h) of Section nine hundred forty-three and Article X Section ten hundred four of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the penalty for the unlawful killing of bears

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made by the Senate, and that the House concur in the amendments.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Royer,
Bane,	George,	McCormack,	Sarraf,
Barkdoll,	Gibson,	McCullough,	Sax,
Baumunk,	Glembocki,	McGee,	Scanlon,
Beaver,	Good,	McKinney,	Schmidt,
Bednarek,	Goodling,	McMillen,	Schuster,
Blair,	Graybill,	McNally,	Scott,
Bloom,	Green,	Mihm,	Seyler,
Boles,	Greenwood,	Mikula,	Shoemaker,
Bomberger,	Greer,	Miller,	Smith, C. C.,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Stank,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stimmel,
Brown, W. E.,	Haudenshield,	Munley,	Stuart,
Brunner,	Heatherington,	Murray,	Swope,
Bucchin,	Helm,	Musto,	Tahl,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Thompson,
Clendening,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Toomey,
Cole,	Hoffman,	Nixon,	Varallo,
Coleman,	Hoggard,	O'Dare,	Varner,
Conway,	Hunter,	O'Donnell,	Verona,
Cooper,	Jenkins,	Olsen,	Wachhaus,
Costa,	Jennings,	Orban,	Wagner,
Dalrymple,	Jim,	Penglase,	Wargo,
DeLong,	Johnson,	Pentrack,	Waterhouse,
Dennison,	Jones, G. E.,	Peta,	Watkins,
Depuy,	Jones, J. M.,	Petrosky,	Weidner,
Dougherty,	Jump,	Pettigrew,	Weiss,
Driscoll,	Kamyk,	Pfaff,	Welsh,
Duffy,	Keller,	Polen,	Wescott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg,
Fox,	Leonard,	Robbins,	Speaker
Frank	Limper,	Robertson,	

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I think that after such a lovely dinner and such a lovely time as we had last night, while we cannot make it an action of the House, I feel that the Committee on Saint Patrick's dinner should be congratulated.

I think it was one of the best dinners we ever had; the Chairman did a wonderful job and the toast master, Cap Cummings, as always also did a wonderful job, I think one of the things that helped the dinner to be so successful was the fact that we had quite an array of home talent. In fact, I did not realize our friend Ole Olson was a better Irish tenor than a Norwegian tenor; he was a real Irish tenor and did a real, wonderful job in singing.

Mr. Speaker, I do not think a lot of the Members of the House realized that we have so much talent in the House, I don't believe that anyone in the House has ever heard a genuine Kosher Quartet sing "When Irish Eyes Are Smiling." I understand it was strictly Kosher. I think it was perfectly lovely.

One thing that I did feel badly about was the fact that one of the members from Philadelphia, I noticed, was not feeling quite so good; he did not carry his burdens so well. I think the whole committee should be congratulated for the wonderful time we had and for the wonderful dinner they furnished to us.

PERMISSION TO ADDRESS HOUSE

Mr. ROSE asked and obtained unanimous consent to address the House.

Mr. Speaker, may I say in all due modesty that the quartet which the gentleman spoke about consisted of one fine singer and three individuals who dragged down the harmony.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 518, entitled:

To further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act to further amend subsection (y) of section four and section three hundred eleven of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining "Wages of a Compensated Employe" and making further provision for refunds and adjustments of employers' contributions in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 803, entitled:

An Act to amend sections one thousand twenty-one one thousand twenty-two and one thousand seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the term of office of county superintendents and district superintendents

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing additional methods of collecting per capita taxes in school districts of the second class requiring the filing of returns and the furnishing of information by employers and by those subject to the tax imposing on employers the duty of collecting the tax at source and by making a husband liable for his wife's tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act to amend sections three hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the method of filling vacancies in the boards of school directors in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service or on reduced allowances after twenty-five years of such service increasing the scale of disability benefits and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 158, entitled:

An Act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 308, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof, creating a presumption of payment, satisfaction or release and making unenforceable, all mortgages, judgments, dowers, recognizances, annuities, unpaid legacies, ground rents, liens, charges or encumbrances, decree or other obligation or instrument, and correcting defects in title and making claims thereunder invalid, by creating a presumption of release and satisfaction, where such liens, charges or encumbrances or defects of record arise, occur, exist, or are dated more than thirty years prior to the time of the institution of any proceeding hereunder, to enforce payment, perfect, revive or continue the aforesaid lien, charge or encumbrance, or to correct or remedy a defect in title unless an action is instituted to enforce such lien, charge or encumbrance as aforesaid against the present owners or action is taken to perfect title to, or to correct or remedy defects therein, within one year after the effective date of this act.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 395, entitled:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entirties; and validating such conveyances formerly made.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MILLIKEN offered the following amendments:

Amend Sec. 1, page 2, line 1, by strking out the words "Section twelve of the" and inserting in lieu thereof "The".

Amend Sec. 1, page 2, line 5, by inserting after the word "amended" the following "by adding after section ten thereof, a new section".

Amend the bill, page 2, by inserting between lines 6 and 7, the following:

Section 10.1. Any county employe who, on or after the sixteenth day of September, one thousand nine hundred forty, has been employed by the county for a period of six months, and who on or subsequent to such date shall have enlisted or been inducted into the military service of the United States in time of war or national emergency, so proclaimed by the President or the Congress of the United States, shall have credited to his employment record for retirement benefits, all of the time spent by him in such military service during the continuance of such war or national emergency, and such payments as were heretofore or shall hereafter be required to be made during such period by such county employe into the county employes' retirement fund shall be paid into such fund by the county. Any employes who have made payments into the county employes' retirement fund for which payments the county is liable under the provisions of this amendment, shall be reimbursed by the county to the full extent of such payments or be given credit towards future payments under this act.

Section 2. Section twelve of said act is hereby amended to read as follows:

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. MILLIKEN offered the following amendment:

Amend title, page 1, last line of title, by inserting after the word "retairement" the following: "regulating retirements benefits of county employes heretofore or hereafter entering the military service, and payments by the county into the county employes' retirement fund for such employes or to such employes as reimbursement or credit in certain cases"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity; providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education; establishing within such Divi-

sion a lending and exchange library of records, transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

Whereas Sensory experience generally and audio-visual impressions particularly are recognized as an indispensable basis for all learning and

Whereas The rapidly growing movement in our public schools and colleges to utilize such teaching aids as fully as possible has led to an insistent demand upon the Department of Public Instruction for authoritative counsel in planning and developing in such schools the use of such aids and

Whereas With the development of frequency modulation (fm) broadcasting static and man-made interference with reception has been eliminated making it a most effective teaching aid and

Whereas To foster the development of education by radio the Federal Communications Commission has reserved an FM band of twenty channels for non-commercial educational broadcasting exclusively and

Whereas Many of the larger school systems of Pennsylvania and other states have already established or are now developing their own fm systems and

Whereas Many hundreds of educational films transcriptions and slides are now available but are considered to be prohibitive in cost to many schools and school districts for the single presentation for which they will be used and therefore should be made available to all schools of the Commonwealth at a nominal at-cost charge by a lending and exchange library established and maintained by State funds therefore

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1223, entitled:

An Act to further amend subsections (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing certain tow trailers to be attached to motor vehicles drawing other vehicles requiring service

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act to amend section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for reimbursement by the Commonwealth for transportation of pupils in case of consolidation of certain school districts with other districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the act approved tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by redefining consolidated school and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act to amend section seven hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to amend section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authoriing the management of joint schools or joint school departments by a joint school committee providing for the formation of such a committee and imposing duties and conferring powers upon the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 103, Printer's No. 179 and

Senate Bill No. 160, Printer's No. 40

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 177, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority sa a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authoriing school districts to enter into contracts to lease authoriizng and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further deining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt.

The first section was read and agreed to.

The second section was read.

On the question,

Willthe House agree to the section?

Mr. SOLLENBERGER offered the following amendment:

Amend Sec. 2 (Sec. 6), page 11, lines 8 to 14, by underscoring the words "Provided That" in line 8, all of lines 9 to 13 both inclusive, and the part-word "Ding" in line 14.

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. SOLLENBERGER offered the following amendments:

Amend Sec. 4 (Sec. 8), page 13, line 19, by underscoring the word "Five."

Amend Sec. 4 (Sec. 9), page 15, line 8, by striking out the words "Department of Revenue."

Amend Sec. 4 (Sec. 9), page 15, line 8, by striking out the bracket before the word "Department" and after the word "Revenue."

Amend Sec. 4 (Sec. 9), page 15, line 9, by striking out the brackets before and after the words "its" where it appears the first time in said line.

Amend Sec. 4 (Sec. 9), page 15, line 9, by striking out the word "its" where it appears the second time in said line.

Amend Sec. 4 (Sec. 9), page 15, lines 13 to 19, by underscoring the words "All Moneys" in line 13, all of lines 14 to 19 both inclusive.

Amend Sec. 4 (Sec. 9), page 16, lines 1 to 20, inclusive, by underscoring all of said lines.

Amend Sec. 4 (Sec. 9), page 17, lines 1 to 6 inclusive, by underscoring all of said lines.

Amend Sec. 4 (Sec. 10), page 18, lines 2 to 10, by underscoring the words "and such contract shall be" in line 2, all of lines 3 to 9 both inclusive, and the words "for the erection of buildings" in line 10.

They were agreed to.

This section was agreed to as amended.

The fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 218, Printer's No. 148

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 232, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison, Clinton County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 245, Printer's No. 80

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by including clerical personnel in the office of county superintendent of schools within definition of term "County Employe"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act making the title acquired by a political subdivision on condemnation a fee simple title except in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 523, entitled:

An Act to further amend sections ten and fifteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvments made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that certain claims may be signed by or have stamped thereon, the fascimile signature of the chief of the delinquent tax bureau.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 561, Printer's No. 156 and

Senate Bill No. 565, Printer's No. 159

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated town at the discretion of the town council.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 604, entitled:

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 153, as follows:

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 950) is hereby further amended to read as follows

Section 12 Retirement upon disability shall be made and discontinued as follows

* * * * *

(2) Once each six months and at such other times as may be deemed necessary the retirement board shall require any disability annuitant to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty [or that such disability beneficiary is able to engage in a gainful occupation] and should the retirement board concur in such report then the disability retirement allowance shall be discontinued [or reduced to an amount that shall not be in excess of the amount by which the amount of last year's salary of the beneficiary as a State employe exceeds his present earning capacity] or should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the disability beneficiary's present salary or wages shall be ascertained and he shall continue to receive a disability retirement allowance but the sum of the disability retirement allowance and the disability beneficiary's present salary or wages shall in no event exceed three hundred dollars ($300) per month

(a) Each three months it shall be the duty of any disability annuitant to furnish a written statement of all earnings from his business occupation or profession from whatever source derived and information showing whether or not he is able to engage in a gainful occupation and such other information as may be required by the retirement board On failure neglect or refusal to furnish such information for the period of the preceding three months the retirement board may refuse to make further disability retirement allowance payments to the disability annuitant until he has furnished such information to the satisfaction of the retirement board and should such refusal continue for six months all his rights in or to the disability retirement allowance constituted by this act shall be forfeited

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Scott,
Bloom,	Green,	Mihm,	Schuster,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmation.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 280, Printer's No. 324

wass passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 394, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the date for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors and permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allowance of delegates providing for appointment of policemen authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

The General Assembly of the Commonweolth of Pennsylvania hereby enacts as follows

Section 1 Sections 303 420 and 511 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 303 Petition to Court Commissioners Report Upon application by petition the court shall appoint three impartial citizens as commissioners one of whom shall be a registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any persons elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor to hold the office until the first Monday of January succeeding the first municipal election occuring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term when a vacancy is so filled the supervisors shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year [The] At such times the township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it shall elect an individual as secretary

Section 2 Section 515 of said act as so reenacted and amended and as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 75) is hereby further amended to read as follows

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than four dollars [($4)] nor more than six dollars [($6)] for each meeting which they attend The amount of the compensation for attending meetings shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 3 Sections 518 520 and 532 of said act as so reenacted and amended are hereby further amended to read as follows

Section 518 Annual Township Report Duties of Supervisors The board of supervisors [annually] on or before the first day of February in [each] the year 1950 and on or before the first day of August of the year 1950 and of each year thereafter shall furnish to the township auditors such accurate information concerning the construction reconstruction maintenance and repair of the roads the repair and purchase of equipment and machinery and road mileage as may be required in order to enable the auditors to make the annual township report hereinafter prescribed

Section 520 Interest in Contracts and Purchases Penalty [Any] Except as otherwise provided in section 802 of this act any township supervisor superintendent or roadmaster who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges [except as provided for in this act] or for a compensation furnishes any materials therefor is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both and shall forfeit his office.

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank institution or trust company in the name of the township he shall keep distinct and accurate accounts of all sums received from taxes and other sources which account shall be open to the inspection of the supervisors and taxpayers of the township he shall pay out all moneys received by him only on orders drawn by the supervisors

of the township [all orders shall be on blanks prepared and furnished by the Department of Highways] he shall annually state his accounts and lay the some together with the vouchers before the township auditors for settlement

Section 4 Section 545 of said act as so reenacted and amended and as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 805) is hereby further amended to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet [annually] in January of the year 1950 at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors [and] Thereafter the auditors shall meet on or before the fifteen day of July of the year 1950 and of each year thereafter At each such meeting the auditors shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current fiscal year or fiscal period authorized in section 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officers whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty [ensuing] ensuring to the benefit of or payable to the Commonwealth

Each auditor shall receive six dollars per diem for each day necessarily employed in the duties of his office under this act to be paid out of the funds of the township

Section 5 Section 547 subsection A of section 590 and section 595 of said act as so reenacted and amended are hereby further amended to read as follows

Section 547 Completion Filing and Publication of Annual Township Report and Financial Statement The auditors shall complete their audit settlement and adjustment for the current fiscal year prior to March first of [each] the year 1950 and prior to the first day of September 1950 for the temporary fiscal period ending June thirtieth 1950 and prior to the first day of September for each fiscal year thereafter [and in] In no case shall more than twenty days be expended on such audit

On or before March first of [each] the year 1950 and on or before the first day of September of the year 1950 and of each year thereafter the auditors shall make a report as hereinafter provided of the affairs of the township executed copies of which report shall be forthwith filed by the secretary of the township the clerk of the court of yuarter session sof the county the Department of Internal Affairs and the Department of Highways Each copy of such report shall be signed by each auditor and duly verified by the oath of the secretary of the auditors Any secretary of aduitors refusing or wilfully neglecting to file such township report as hereinbefore provided or to publish the financial statement herein required shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars for each day's delay beyond the last day for filing such report and costs or in default of the payment of such fine and costs be sentenced to imprisonment not exceeding ten days.

The township report shall be presented on a uniform form prepared and furnished as hereinafter provided

The township report shall contain the names and addresses of the chairman members and secretary-treasurer of the board of supervisors of the township a statement of the receipts of the township from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year or fiscal period a detailed statement of the disbursements of the township during the fiscal year or fiscal period for the construction reconstruction maintenance and repair of the roads for the purchase and repair of road equipment and machinery including a record of all purchases of material equipment and machinery for road purposes [involving an expenditure of less than five hundred dollars] and for all other activities of the township the number of miles of road opened built and permanently improved and the total number of miles of road in the township a statement of the balance in the township treasury at the beginning of the fiscal year or pscal period a statement of the resources and liabilities of the township at the end of the fiscal year or fiscal period a detailed statement of the indebtedness of the township at the close of the fiscal year or fiscal period the provisions made for the payment thereof together with the purposes for which it was incurred a statement of the cost of ownership and operation of each and every public service industry owned maintained or operated by the township and such more specific information as may be required as hereinafter provided

On or before March tenth of [each] the year 1950 and on or before the first day of September of the year 1950 and of each year thereafter the auditors shall publish by advertisement once in at least one newspaper of general circulation published in the township or if no such newspaper is published in the township then in such a newspaper circulating in the township a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year or fiscal period all revenues received during the fiscal year or fiscal period by major classifications all expenditures made during the fiscal or fiscal period by major functions and the current resources and liabilities of the township at the end of the fiscal year or fiscal period the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships to publish an annual statement of indebtedness

If any township has a population of less than two hundred as shown by the last preceding decennial census of the United States the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property [makes] make it necessary for the appointment of one or more policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth [of which the said township or townships are a part] to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township fund

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity into which each member of the police force shall pay an equal and proportionate monthly charge not exceeding annually

three per centum of the pay of such member The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowance made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 6 Article V of said act as so reenacted and amended is hereby amended by adding at the end thereof a new subdivision and section to read as follows

(k) Township Manager

Section 599.1 Appointment Removal Powers and Duties Compensation Bond The supervisors may by ordinance at any time create the office of township manager and may in like manner abolish the same While said office exists the supervisors shall from time to time and whenever there is a vacancy by majority vote elect one person to fill said office who shall serve until his successor is elected and qualified Any such township manager shall be subject to removal by the supervisors by majority vote

The powers and duties and the compensation of the township manager shall be fixed by ordinance The compensation shall be paid out of the general fund of the township The supervisors may delegate subject to recall any of their non-legislative powers and duties to the township manager He shall give bond to the township with sufficient surety to be approved by the supervisors in such sum as they shall by ordinance direct conditioned for the faithful performance of his duties

The office of township manager shall not be deemed incompatible with the office of township secretary township treasurer or any other township office or employment except that of supervisor

Section 7 Sections 603 and 612 of said act as so reenacted and amended are hereby further amended to read as follows

Section 603 Officers Of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen if desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [fifteen] twenty-five dollars per annum as the other officers may determine every township supervisor assessor tax collector and auditor attending such convention may vote in the election of officers

Section 610 State Association Authorized The formation of a State association of township supervisors is hereby authorized the association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships all dues assessed by the association which shall not exceed [fifteen] twenty-five dollars per year per township shall be paid by the member townships from their general township funds

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed [six] ten dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

Section 8 Clause III of section 702 of said act as so reenacted and amended and as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 858) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

III Contracts and Tax Levy For Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any cillage within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within [five] six hundred feet of any fire hydrant in the district benefited thereby based upon the assesment for county purposes no such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby such tax shall be collected in the same manner as other taxes the collector shall receive the same commission as on the township tax the township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary the treasurer shall make a report to the auditors of the township annually

B The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highway streets roads and alleys within [five] six hundred [(500)] feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within [five] six hundred [(500)] feet of any fire hydrant on such street highway road or alley the supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assesment of the full frontage would be inequitable no such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands all such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address the tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax if the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection the solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim all assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of

the township supervisors attested by the secretary the tax collector and the treasurer shall make a report to the auditors of the township annually

Section 9 Clause XIII of said section 702 as so reenacted and amended is hereby further amended to read as follows

* * * * *

XIII Insurance To expend out of the general township fund such amount as may be necessary to secure workmen's compensation insurance for its employes including volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health hopitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employe's pay salary or compensation such part of the premium or charge as is payable by the employe and as may be so authorized by the employe in writing

* * * * *

Section 10 Clause XXVI of said section 702 as added thereto by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 118) and clause XXVI of said section as added thereto by the act approved the second day of June one thousand nine hundred forty-seven (P. L. 391) are hereby renumbered to read as follows

[XXVI] XLII Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article ten of this act any land lying either within or without the limits of the township which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercsing the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

[XXVI] XLIII Police Protection Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of township supervisors is hereby empowered with the approval of the township auditors on petition of a majority of the property owners of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said police protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction fro mthe frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm ands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax collector who shall give thirty days' written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 11 Said section 702 as so reenacted and amended is hereby amended by adding at the end thereof two new clauses to read as follows

* * * * *

XLIV Widening and Deepening Water-Courses After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dikes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof For such purposes townships may enter upon and condemn such property as may be necessary Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in article ten of this act Townships may appropriate moneys from the general fund for the purpose of carrying into effect the provisions of this clause

XLV Appointment of Certified Public Accountant To employ a certified public accountant to audit the accounts of the township and the township officers if a petition has

been presented to the supervisors by at least twenty-five taxpayers of the township asking for such appointment The amount paid to the certified public accountant in any year shall not exceed the maximum allowed by law to be paid to the township auditors in such year

Section 12 Sections 802 and 901 clause (1) of subsection A of section 902 clauses (1) (4) and (5) of subsection A of section 905 and sections 909 1135 and 2005 of said act as so reenacted and amended are hereby further amended to read as follows

Section 802 Letting Contracts Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars ($500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication [and] or in [the] case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnished a bond with suitable reasonable requirements guaranteeing [the work to be done] performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any supervisors involving an expenditure of over five hundred dollars ($500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employes Provided however That this shall not apply to construction materials used in a road improvement

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expenditure by the township of more than three hundred dollars ($300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) Provided That in the case the purchase of material [equipment and machinery] for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways [or approved by said department] and materials so purchased shall only be used in accordance with specifications of [or approval of] said department

Section 901 Fiscal Year The current fiscal year of each township of the second class shall end with the day previous to the first Monday in January 1950 There shall be a temporary fiscal period in each township of the second class commencing with the first Monday in January 1950 and ending with the thirtieth day of June 1950 Thereafter the fiscal year in townships of the second class shall commence on the first [Monday of January] day of July in each calendar year and end with the thirtieth day of June of the next succeeding calendar year All receipts disbursements contracts and purchase shall be chargeable to and entered as of record in the fiscal year or fiscal period in which made

Section 902 Annual Budget A (1) The board of township supervisors shall [annually immediately after their organization meeting in January and at least thirty days prior to the adoption of the annual budget] during the month of December 1949 for the temporary fiscal period from the first Monday in January 1950 to the thirtieth day of June 1950 and annually on or before April first commencing with the year 1950 prepare a proposed budget or annual estimate of revenues and expenditures for the fiscal year [beginning on the first Monday of January] or fiscal period which shall be filed with the treasurer at least thirty days prior to its adoption In all townships the budget shall be prepared on a uniform form prepared and furnished as hereafter provided The estimates in the budget shall specify

(a) The amount of money necessary for the construction maintenance repair and improvement of roads

(b) The amount of money necessary for the construction maintenance and repair of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of equipment machinery teams and implements

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

(e) The amount of money necessary for the payment of debts and other miscellaneous purposes

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

1 An annual township tax for road bridge and general township purposes not later than the [fourth Monday of March of each year] seventh day of May of each year commencing in the year 1950 not exceeding nine mills except where necessary to pay existing indebtedness and interest thereon in which case not more than two additional mills may be levied Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than eleven mills but not exceeding five additional mills to be levied Such annual township tax shall include all levies for road bridge and general township purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for such purposes Not less than ten per centum of the annual township tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for such purposes for the payment of which indebtedness no provision has been made For the temporary fiscal period commencing on the first Monday of January 1950 and ending on the thirtieth day of June 1950 the township supervisors may but need not levy taxes on or before the thirty-first day of December 1949 and the rates of such taxes if levied shall not exceed one-half of the maximum rates specified in this and the succeeding clauses of this section

* * * * *

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided [nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars]

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

Section 909 Duplicates [Abatements and Penalties] The township supervisors shall make or cause a duplicate to be made designating the amount of township tax levied against each taxpayer of the township and also duplicates for all other taxes levied and assessed under the provisions of this act and shall deliver the same [as soon as possible after receipt of the assessment roll from the county] to the township collector on or before the twenty-fifth day of January 1950 for the temporary fiscal period commencing on the first Monday in January 1950 and ending on the thirtieth day of June 1950 if a tax has been levied for such period and on or before the fifteenth day of June of the year 1950 and of each year thereafter for each fiscal year

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof [(not less than one thousand feet)] laid out and opened in the township No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved [nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of road to be so improved]

Section 2005 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of [all] a majority of the supervisors

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Zorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise. Rovansek.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,
House Bill No. 403, Printer's No. 231,
House Bill No. 498, Printer's No. 296, and
House Bill No. 517, Printer's No. 435,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 528 as follows:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty of the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "original member" in relation to members of General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the sixteenth day of June one thousand nine hundred forty-seven (P. L. 611) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 620) the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1149) and the fifth day of July one thousand nine hundred forty-seven (P. L. 1342) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employe who is an employe of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employe of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-seven or in any case where subsequent to such date the definition of "State employe" has been changed so as to include additional persons not previously classed as State employes If any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he elects to become an "Original member"

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the person's employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person who is a member of the General Assembly on the [effective date of this amendment] first day of September one thousand nine hundred forty-nine and who shall elect on or before December thirty-first one thousand nine hundred and [forty-seven] forty-nine to become a member of the retirement association as of January first one thousand nine hundred and forty-seven

Original members of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the [effective date of this amendment] first day of September one thousand nine hundred forty-nine is a contributor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise,	Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 535 as follows:

An Act defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and on persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing for the suspension and revocation of Cigarette Tax Permits and providing remedies and penalties for violations

Whereas the advertising offering for sale or sale of cigarettes below cost in the retail or wholesale trade with the intent of injuring competitors or destroying or substantially lessening competition are unfair and deceptive business practices and

Whereas such practices adversely affect the collection of taxes from the sale of cigarettes and permit fees required of persons engaged in the sale of cigarettes and

Whereas it is hereby declared to be the policy of this Commonwealth to promote the public welfare by prohibiting such sales and it is the purpose of this act to carry out that policy in the public interest therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Unfair Cigarette Sales Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(a) "Person" shall mean and include any individual firm association company partnership corporation joint stock company club agency syndicate trust receiver trustee fiduciary and conservator

(b) "Cigarettes" shall mean and include any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

(c) "Sale" and "sell" shall mean any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

(d) "Wholesaler" shall mean and include any person who purchases cigarettes direct from the manufacturer or from any other person who purchases from a manufacturer and sells at least seventy-five per centum (75%) of all such cigarettes purchased by him to others for resale

(e) "Retailer" shall mean and include any person who sells cigarettes at retail

(f) "Sell at retail" "sale at retail" and "retail sales" shall mean and include any sale of cigarettes for consumption or use made in the ordinary course of trade or usual conduct of the seller's business

(g) "Sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any sale of cigarettes made in the ordinary course of trade or usual conduct of the wholesaler's business to the retailer for the purpose of resale

(h) "Basic cost of cigarettes" shall mean the invoice cost of cigarettes to the retailer or wholesaler as the case may be or the replacement cost of cigarettes to the retailer or wholesaler as the case may be within thirty days prior to the date of sale in the quantity last purchased whichever is lower less all trade discounts and customary discounts for cash to which shall be added the full face value of any tax which may be required by any cigarette tax act of this Commonwealth now in effect or hereafter enacted if not already included by the manufacturer in his list price

(i) "Cost to the wholesaler" shall mean the "basic cost of cigarettes" to the wholesaler plus the cost of doing business by the wholesaler and must include without limitation labor costs (including salaries of executives and officers) rent depreciation selling costs maintenance of equipment delivery costs all types of licenses taxes insurance and advertising In the absence of proof of a lesser or higher cost of doing business by the wholesaler making the sale the cost of doing business by the wholesaler shall be presumed to be four per centum (4%) of the "basic cost of cigarettes" to the wholesaler

(j) "Cost to the retailer" shall mean the "basic cost of cigarettes" to the retailer plus the cost of doing busi-

ness by the retailer and must include without limitation labor costs (including salaries of executives and officers) rent depreciation selling costs maintenance of equipment delivery costs all types of licenses taxes insurance and advertising In the absence of proof of a lesser or higher cost of doing business by the retailer making the sale the cost of doing business by the retailer shall be presumed to be six per centum (6%) of the "basic cost of cigarettes" to the retailer

In the case of any person who purchases cigarettes for sale at retail from any manufacturer of cigarettes without resort to a wholesaler as such such person shall be deemed for the purposes of this act to be engaged in the sale of cigarettes both as a wholesaler and retainer and as such shall be subject both to the wholesale and retail mark-up provisions of this act in the order named

Section 3 Sales at Less Than Cost

(a) It shall be unlawful for any retailer or wholesaler with intent to injure competitors or destroy or substantially lessen competition to advertise offer to sell or sell at retail or wholesale cigarettes at less than cost to such retailer or wholesaler as the case may be

(b) Evidence of advertisement offering to sell or sale of cigarettes by any retailer or wholesaler at less than cost to him shall be prima facie evidence of intent to injure competitors and to destroy or substantially lessen competition

Section 4 Combination Sales In all advertisements offers for sale or sales involving two or more items at least one of which items is cigarettes at a combined price and in all advertisements offers for sale or sales involving the giving of any gift or concession of any kind whatsoever (whether it be coupons or otherwise) the portion of the retailer's or wholesaler's combined selling price relating to cigarettes shall not be below the "cost to the retailer" or the "cost to the wholesaler" as the case may be of such cigarettes

Section 5 Sales by a Wholesaler to a Wholesaler When one wholesaler sells cigarettes to any other wholesaler the former shall not be required to include in his selling price to the latter "cost to the wholesaler" as defined in this act but the latter wholesaler upon the resale of such cigarettes to a retailer shall be subject in all respects to the provisions of this act but the latter wholesaler upon resale to a retailer shall be subject to the provisions of the said section provided however that such latter wholesaler may at his option use as his basic cost of the cigarettes so sold the basic cost of the wholesaler from whom he shall have purchased the same

Section 6 Sales Exceptions The provisions of this act shall not apply to sales of cigarettes at retail or at wholesale made (a) in an isolated transaction and not in the usual course of business (b) where cigarettes are advertised offered for sale or sold in bona fide clearence sales for the purpose of discontinuing trade in such cigarettes and such advertising offer to sell or sale shall state the reason thereof and the quantity of such cigarettes advertised offered for sale or to be sold (c) where cigarettes are advertised offered for sale or sold as imperfect or damaged and such advertising offer to sell or sale shall state the reason therefor and the quantity of such cigarettes advertised offered for sale or to be sold (d) where cigarettes are sold upon the final liquidation of a business or (e) where cigarettes are advertised offered for sale or sold by any fiduciary or other officer acting under the order or direction of any court

Section 7 Advertising of Certain Sales Good Faith

(a) Any retailer may advertise offer to sell or sell cigarettes at a price made in good faith to meet the price of a competitor who is selling the same article at cost to him as a retailer Any wholesaler may advertise offer to sell or sell cigarettes at a price made in good faith to meet the price of a competitor who is rendering the same type of service and is selling the same article at cost to him as a wholesaler The price of cigarettes advertised offered for sale or sold under the exceptions specified in section 6 shall not be considered the price of a competitor and shall not be used as a basis for establishing prices below cost nor shall the price established at a bankrupt sale be considered the price of a competitor within the purview of this section

(b) In the absence of proof of the cost of a competitor under this section the lowest "cost to the retailer" or the lowest "cost to the wholesaler" as the case may be determined by any cost survey made in the same trading area pursuant to section 11 of this act may be deemed the cost of usch competitor within the meaning of this section

Section 8 Sales Contracts Void Any contract expressed or implied made by any person in violation of any of the provisions of this act shall be an illegal and void contract and no recovery thereon shall be had

Section 9 Admissible Evidence

(a) In determining "cost to the retailer" and "cost to the wholesaler" the court shall receive and consider as bearing on the bona fides of such cost evidence tending to show that any person complained against under any of the provisions of this act purchased cigarettes with respect to the sale of which complaint is made at a fictitious price or upon terms or in such a manner or under such invoices as to conceal the true cost discounts or terms of purchase and shall also receive and consider as bearing on the bona fides of such cost evidence of the normal customary and prevailing terms and discounts in connection with other sales of a similar nature in the trade area or State

(b) Merchandise given gratis or payment made to a retailer or wholesaler for display or advertising or promotion purposes or otherwise shall not be considered in determining the cost of cigarettes to the retailer or wholesaler

Section 10 Sales Outside Ordinary Channels of Business Effect In establishing the cost of cigarettes to the retailer or wholesaler the invoice cost of such cigarettes purchased at a forced bankrupt or closeout sale or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost of the cigarettes to the retailer or wholesaler within thirty (30) days prior to the date of sale in the quantity last purchased through the ordinary channels of trade

Section 11 Cost Survey Admissibility Where a cost survey pursuant to recognized statistical and cost accounting practices has been made for the trading area in which a violation of this act is committed or charged to determine and establish on the basis of actual existing conditions the lowest cost to wholesalers or the lowest cost to retailers within the said area such cost survey shall be deemed competent evidence in any action or proceeding under this act as tending to prove actual cost to the wholesaler or actual cost to the retailer complained against but any party against whom any such cost survey may be introduced in evidence shall have the right to offer evidence tending to prove any inaccuracy of such cost survey or any state of facts which would impair its probative value

Section 12 Remedies (a) The Department of Revenue of this Commonwealth in the case of any violation or threatened violation of this act or any person injured by any violation or who shall suffer injury from any threatened violation of this act may maintain an action in any court of competent jurisdiction to prevent restrain or enjoin such violation or threatened violation If in such action a violation or threatened violation of this act shall be established the court shall enjoin and restrain or otherwise prohibit such violation or threatened violation and in addition thereto the court shall assess in favor of the plaintiff and against the defendant the costs of suit including reasonable attorneys fees In any such action it shall not be necessary that actual damages to the plaintiff be alleged or proved but where alleged and proved by a plaintiff other than the Department of Revenue the plaintiff in said action in addition to such injunctive relief and costs of suit including reasonable attorney's fees shall be entitled to recover from the defendant the actual damages sustained by him

(b) In the event that no injunctive relief is sought or required any person injured by a violation of this act

may maintain an action for damages and costs of suit in any court of competent jurisdiction

Section 13 Department of Revenue Powers and Duties The administration of this act is hereby vested in the Department of Revenue of this Commonwealth Such department may adopt rules and regulations for the enforcement of this act and may from time to time make or cause to be made one or more cost surveys to establish the lowest "cost to the retailer" and the lowest "cost to the wholesaler" as defined in this act for the State or such trading area or areas therein as it shall define Any such survey made or caused to be made by the department may be used for the purposes specified in section 11 of this act The Department of Revenue may upon notice and after hearing suspend or revoke any permit issued under the provisions of the Cigarette Tax Act (Act of 1949 (P. L.) for failure of the committee to comply with any of the provisions of this Unfair Cigarette Sales Act Any person aggrieved by any decision or order of the department suspending or revoking any spch permit may appeal from such decision or order as provided in the Administrative Agency Law (Act of June 4 1945 P. L. 1388) as amended

Section 14 Penalty Any retailer or wholesaler who shall advertise offer to sell or sell cigarettes at retail or wholesale in violation of the provisions of this act shall for a first offense upon summary conviction thereof be sentenced to pay a fine not exceeding two hundred dollars ($200) and in default thereof shall be sentenced to undergo imprisonment for not more than sixty (60) days and for a second or subsequent offense be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding six months or both Each advertisement offer for sale or sale of cigarettes in violation of the provisions of this act shall constitute a separate violation of the provisions of this act and shall subject the offender to the penalties hereby prescribed Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

Section 15 Unfair Sales Act Inapplicable The provisions of the act approved the eleventh day of August one thousand nine hundred forty-one (P. L. 900) known as the "Unfair Sales Act" shall not apply to sales of cigarettes covered by the provisions of this act

Section 16 Effective Date This act shall take effect on the first day of June one thousand nine hundred and forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Altshuler,	Frost,	Limper,	Rose,
Amarando,	Gaffney,	Loftus,	Rosen,
Andrews,	Gallagher,	McCormack,	Royer,
Bane,	Gibson,	McCullough,	Sarraf,
Barkdoll,	Glembocki,	McGee,	Sax,
Baumunk,	Good,	McKinney,	Scanlon,
Beaver,	Graybill,	McNally,	Schmidt,
Blair,	Greenwood,	Mikula,	Schuster,
Bloom,	Greer,	Miller,	Scott,
Boies,	Guthrie,	Milliken,	Shoemaker,
Bomberger,	Hagerty,	Mills,	Smith, C. C.,
Boorse,	Hall,	Mintess,	Smith, W. B.,
Bower,	Hamilton,	Monroe,	Snider,
Brandon,	Harney,	Moore, C. E.,	Sollenberger,
Breisch,	Harris,	Moore, H. A.,	Spencer,
Brown, H. S.,	Heatherington,	Moran,	Stank,
Brunner,	Helm,	Munley,	Sternberg,
Bucchin,	Herman,	Murray,	Swope,
Cadwalader,	Hersch,	Musto,	Tahl,
Clapper,	Hewitt,	Needham,	Taylor,
Clendening,	Hoffman,	Nixon,	Toomey,
Cochran,	Hoggard,	O'Dare,	Varallo,
Cole,	Hunter,	O'Donnell,	Verona,
Coleman,	Jenkins,	Olsen,	Wachhaus,
Conway,	Jennings,	Penglase,	Wargo,
Costa,	Jim,	Peta,	Watkins,
DeLong,	Johnson,	Pettigrew,	Weidner,
Dennison,	Jones, G. E.,	Pfaff,	Weiss,
Depuy,	Jones, J. M.,	Polen,	Welsh,
Dougherty,	Kamyk,	Posta,	Wescott,
Driscoll,	Keller,	Powers,	Westrick,
Duffy,	Kemp,	Price, H. W., Jr.,	Wheeler,
Erb,	Kent,	Price, R. A.,	Williams,
Evans,	Kirley,	Propert,	Wood,
Felton,	Kline,	Readinger,	Worley,
Ferster,	Kohl,	Reese,	Yaffe,
Filo,	Kolankiewicz,	Reidenbach,	Yeakel,
Firmstone,	Kratz,	Reilly, J. M.,	Yetzer,
Flack,	Lederer,	Reynolds,	Ziegler,
Floyd,	Lee,	Riley, R. L.,	Sorg,
Fox,	Leisey,	Robertson,	Speaker
Frank,	Leonard,		

NAYS—31

Bednarek,	George,	Madigan,	Stuart,
Brown, Wm. E.,	Goodling,	McMillen,	Tompkins,
Cooper,	Guarnieri,	Nagel,	Varner,
Dalrymple,	Haudenshield,	Najaka,	Wagner,
Dye,	Hocker,	Orban,	Waterhouse,
Elder,	Jump,	Reagan,	Yester,
Ewing,	Kurtz,	Robbins,	Young,
Fleming	Lovett,	Seyler,	

NOT VOTING—12

Breth,	Kondrath,	Neff,	Rovansek,
Brice,	Krise,	Pentrack,	Stimmel,
Green,	Mihm,	Petrosky,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 625 as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operation thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An aet

for the protection of the public safety regulating the use of highways and the operation of vehirles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(c) No vehicles except motor buses and fire department equipment shall exceed a total maximum length including any load thereon of three hundred ninety-six (396) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Motor buses shall not exceed a length of [four hundred twenty (420) inches] four hundred eighty (480) inches provided that a bus in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than (6) inches from the path of the drawing vehicle's wheels

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Altshuler,	Frost,	Limper,	Royer,
Amarando,	Gallagher,	Loftus,	Sarraf,
Andrews,	George,	Lovett,	Sax,
Bane,	Gibson,	Madigan,	Scanlon,
Barkdoll,	Glembocki,	McCormack,	Schmidt,
Baumunk,	Goodling,	McCullough,	Schuster,
Beaver,	Graybill,	McGee,	Scott,
Bednarek,	Green,	McKinney,	Seyler,
Blair,	Greenwood,	McNally,	Shoemaker,
Bloom,	Greer,	Mikula,	Smith, C. C.,
Boles,	Guarnieri,	Miller,	Smith, W. B.,
Bomberger,	Guthrie,	Milliken,	Snider,
Boorse,	Hagerty,	Mills,	Sollenberger,
Brandon,	Hall,	Mintess,	Spencer,
Breisch,	Hamilton,	Monroe,	Stank,
Brice,	Harney,	Moore, C. E.,	Sternberg,
Brown, H. S.,	Haudenshield,	Moore, H. A.,	Stimmel,
Brown, Wm. E.,	Heatherington,	Murray,	Swope,
Bucchin,	Helm,	Musto,	Tahl,
Cadwalader,	Hersch,	Najaka,	Tompkins,
Clapper,	Hewitt,	Needham,	Toomey,
Clendening,	Hoffman,	Neff,	Varallo,
Cochran,	Hoggard,	Nixon,	Verona,
Cole,	Hunter,	O'Dare,	Wachhaus,
Conway,	Jenkins,	O'Donnell,	Wagner,
Cooper,	Jennings,	Olsen,	Wargo,
Costa,	Jim,	Penglase,	Waterhouse,
DeLong,	Johnson,	Peta,	Watkins,
Dennison,	Jones, G. E.,	Petrosky,	Weidner,
Depuy,	Jump,	Pettigrew,	Weiss,
Dougherty,	Kamyk,	Polen,	Welsh,
Driscoll,	Kemp,	Posta,	Wheeler,
Duffy,	Kent,	Powers,	Williams,
Dye,	Kirley,	Price, H. W., Jr.,	Wood,
Elder,	Kline,	Price, R. A.,	Worley,
Ewing,	Kohl,	Propert,	Yaffe,
Felton,	Kolankiewicz,	Readinger,	Yeakel,
Ferster,	Kratz,	Reynolds,	Yetzer,
Filo,	Kurtz,	Robbins,	Young,
Flack,	Lederer,	Robertson,	Sorg,
Floyd,	Leisey,	Rose,	Speaker
Fox,	Leonard,	Rosen,	

NAYS—29

Bower,	Gaffney,	Moran,	Stuart,
Brunner,	Good,	Munley,	Taylor,
Coleman,	Harris,	Nagel,	Thompson,
Dalrymple,	Hocker,	Pfaff,	Wescott,
Evans,	Jones, J. M.,	Reagan,	Westrick,
Firmstone,	Keller,	Reilly, J. M.,	Yester,
Fleming,	McMillen,	Riley, R. L.,	Ziegler,
Frank			

NOT VOTING—13

Breth,	Krise,	Orban,	Reidenbach,
Erb,	Lee,	Pentrack,	Rovansek,
Herman,	Mihm,	Reese,	Varner,
Kondrath,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 652, Printer's No. 167,

was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE (SENATE BILL 169)

Mr. SOLLENBERGER. Mr. Speaker, I move that the vote by which Senate Bill No. 169, Printer's No. 240 entitled:

An Act to further amend clause (f) of section two and to add section four point one to the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the

holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," extending the definition of "municipality" so as to include school districts, and placing restrictions on contracts between authorities and school district.

passed finally on Tuesday, March 29, 1949, be reconsidered.

Mr. McMILLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair Mr. Sollenberger, vote on the final passage of this bill?

Mr. SOLLENBERGER. Mr. Speaker, I voted in the majority.

Mr. SPEAKER. How did the gentleman from Indiana, Mr. McMillen, vote on the final passage of this bill?

Mr. McMILLEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SOLLENBERGER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SOLLENBERGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 665 as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefor and validating Commonwealth reimbursements heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred twelve clause (5) of section one thousand three hundred thirty and sections one thousand three hundred thirty-one and two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1312 Free transportation where schools closed in [fourth and third class districts in townships] certain districts in any district of the fourth class or any district of the third class which is located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile elementary school pupils who resides within that part of the school district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a state teachers' college and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the elementary school to which they are assigned

Section 1330 Exceptions to compulsory attendance the provisions of this act requiring regular attendance shall not apply to any child who

* * * * *

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile resides two miles or more by the nearest public highway from any public school in session and no proper free transportation is furnished to such child to and from school

Section 1331 Free transportation or board and lodging in case there is no public school with the proper grades in session within two miles by the shortest public highway of the residence of any child in a school district of the fourth class or in a township which is a school district of the third class or in a borough which has a population of less than five hundred (500) inhabitants to the square mile and which is a school district of the third class such child shall be furnished proper transportation at the expense of the school district to and from a school with the proper grades when it is not feasible to provide such transportation the board of school directors may in lieu thereof with the approval of the department of public instruction pay for suitable board and lodging for any such child

Section 2541 Payments on account of pupil transportation school districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction in addition thereto the Commonwealth shall pay to school ditricts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Teachers' College and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them

(4) To all school districts for pupils transported to and from approved consolidated elementary schools or ap-

proved consolidated junior high schools or approved joint consolidated schools or approved vocational district schools

Section 2 Any Commonwealth reimbursement heretofore made on account of pupil transportation to any borough having a population of less than three hundred inhabitants to the square mile which is a school district of the third class is hereby validated notwithstanding that the same may have been done without previous authority of law

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 750, as follows:

An Act to further amend section three hundred one and to amend sections three hundred two three hundred four and four hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the membership and organization of the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Historical and Museum Commission and the State Council of Education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and other assistants and employes in certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 301 Pennsylvania Game Commission The Pennsylvania Game Commission shall consist of twelve competent citizens of this Commonwealth who shall be so appointed that they shall fairly represent the several geographical sections of the Commonwealth and shall be well informed on the subject of wild life conservation and restoration Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership The commission shall annually elect a president and a vice-

president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive director

Five members of the commission who are not members of the General Assembly shall constitute a quorum

The members of the Board of Game Commissioners in office on the effective date of this act shall constitute the Pennsylvania Game Commission and shall hold their offices as members of the Pennsylvania Game Commission until their successors are appointed as provided by law The original members of the commission shall be appointed for such terms as are prescribed by law and subsequent appointments of non-legislative commissioners shall be for terms of eight years and shall be staggered as provided by law Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 2 Section three hundred two of said act is hereby amended to read as follows

Section 302 Board of Fish Commissioners The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and eleven other citizens of the Commonwealth Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

Five members of the board who are not members of the General Assembly shall constitute a quorum

The Commissioner of Fisheries shall be the president and executive officer of the board and chief superintendent of all hatching stations and fish cultural establishments belonging to the State

[Members] The non-legislative members of the board shall be appointed to serve for terms of six years

Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 3 Section three hundred four of said act as added by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby amended to read as follows

Section 304 Pennsylvania Historical and Museum Commission The Pennsylvania Historical and Museum Commission shall consist of the Superintendent of Public Instruction [ex officio] and thirteen citizens of the Commonwealth Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership One of the members of the commission shall be designated by the Governor to serve as chairman of the commission The commission shall appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor any one who has served as a member thereof within one year shall be eligible for appointment as executive director

Six members of the commission who are not members of the General Assembly shall constitute a quorum

The present members of the Pennsylvania Historical Commission shall be members of the Pennsylvania Historical and Museum Commission who together with the other four original members of the commission shall be appointed by the Governor on or before the effective date of this act and shall hold their office until the third Tuesday of January one thousand nine hundred and forty-seven or until their successors shall have been appointed and qualified as provided by law The four members to be appointed as aforesaid who are not members of the present Pennsylvania Historical Commission shall be chosen from sections of the Commonwealth not represented by the five members who are now members of the Pennsylvania Historical Commission Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 4 Section four hundred eight of said act is hereby amended to read as follows

Section 408 State Council of Education The State Council of Education shall consist of the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and thirteen other members Two of the members shall be chosen from the House of Reprsentatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

All appointments of non-legislative members shall be for terms of six years Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

The Superintendent of Public Instruction and five other members who are not members of the Legislature shall constitute a quorum The council may elect a secretary who need not be a member thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. REYNOLDS. Mr. Speaker, I would like to read the following telegram for the purpose of the record?

"Pittsburgh Penn 29

Hon Maurice L. Reynolds Member House of Representatives House Post Office Harrisburg Penn

The Allegheny County Sportsmen's League, voice of 153,518 licensed hunters and fishermen, is both unequivocally and unqualifiedly opposed to the vicious and pernicious legislation provided in House Bill 750 or any amendment thereto. It is the most noxious and venomous bill presented to either branch of our General Assembly in this session.

W E GUCKERT, Executive Secretary"

Mr. McMILLEN. Mr. Speaker that is rather an informative telegram, I will admit that. I don't know why including Members of the legislature on importation commissions, with no right to vote, is pernicious and obnoxious, or what ever it is in the way of adjectives. It is my opinion that the Members who sit here in this House know very well what is right and what is wrong. I believe that they have a perfect right to know and to understand the internal workings of any board, commission, or any other organization established by the Legislature.

I understand the position very thoroughly of the gentle-

man from Allegheny, Mr. Reynolds. I would have expected it and am glad that he read that communication into the record in order to keep himself clear with his friends at home. This communication, is perfectly all right. If you gentlemen think that we, as Members of the Legislature, have a right to know the internal workings of these boards or commissions, then vote for this bill. If you think that it is none of our business and that our presence there would be to the detriment of the people of the Commonwealth, or would be a detriment to the sportsmen of the Commonwealth, then vote "no" on the bill.

Mr. Speaker, we have had experience in the last six years under this bill, and there are Members on the floor of this House and in the Senate who have appointed under a like bill on the Aeronautics Commission of the state of Pennsylvania. We have found it very enlightening, we have found it very helpful, we have found that when the commission comes to the Legislature with legislative problems that we have someone to whom we can go and get the facts as they actually exist, as they have been observed and seen from month to month as the commission met in regular session. You will note if you go back over that particular bill that the Governor was cognizant of the fact that there should be minority representation on these boards, and you will find that Senator Dent from Westmoreland County is a member of the Aeronautics Commission as a legislative representative, and I am sure if he is contacted as the minority representative he will give you a favorable report on the operations of this type of liaison between boards, commissions and so forth that this Legislature creates, and the Legislature itself.

Mr. GOODLING. Mr. Speaker, this is not the first time that I have had to disagree with the sender of this telegram. I happen to know him personally.

The question I want to raise right now is this; as I recall it, this bill was amended in its final form last Thursday. Are we to assume that since that time the gentleman has contacted 153,518 sportsmen in Allegheny County, because, as I recall the telegram says it speaks for that number of sportsmen. I personally want to agree with what the gentleman from Indiana, Mr. McMillen states. This is a very good bill, and I ask the Members of this House to support the bill.

Mr. HOMER S. BROWN. Mr. Speaker, I am in opposition to this bill, not for the reasons stated in the telegram read by my colleague from Allegheny, but I believe that we are embarking on something that is definitely a step in the wrong direction.

I see no reason why the General Assembly after having delegated these powers to these boards and commissions should then place on these boards and commissions a Member of the General Assembly who has no power but to sit there utilizing the space and wasting time and becoming a kind of overlord. I believe definitely we are taking a step in the wrong direction.

I know that the gentleman from Indiana has had experience with his commission, the Aeronautics Commission. However, there may be some reason in the commission that he sponsored and that he has a definite interest in, and which embraces a very narrow part of the operations of this government. If we are going to expand this idea and place a Member of the General Assembly on every board and commission in the Commonwealth of Pennsylvania, I say to you, Mr. Speaker, we are changing the whole philosophy of government. When this Legislature adjourns sine die, it should adjourn, and those commissions and those boards to which we have delegated the power to act for us should have that right without any interference. I won't use the language of the telegram which the gentleman from Allegheny has read because I think it is too strong. I would rather put it mildly by saying it is an unwarranted and useless and needless piece of legislation.

Mr. CHARLES C. SMITH. Mr. Speaker, I have no particular interest in this particular bill. However, I do feel that it is only fair to straighten out a few matters.

I am also a Member of the Aeronautics Commission in Pennsylvania. I had no interest at the time that I was made a member, but I would like to assure the gentleman from Allegheny, Mr. Brown, and the other gentlemen of the House, and I say this in all sincerity, I daresay in the state of Pennsylvania you will find that every member from the Executive Director down has said that this bill we are talking about now, has worked out and is one hundred per cent cooperative and workable with the commission, and the commission, I do not think would have it otherwise, if a member did not serve from the legislature. I think they welcome us. We do not take up waste space. I know that they really want us and I feel that the commission has done a better job, and I know that every member of that commission will acknowledge that themselves.

Mr. WEISS. Mr. Speaker, I feel that House Bill 750 is very good, and I disagree with my friend from Allegheny, Mr. Brown that it is a step in the wrong direction. I believe, if anything, if they would put in this bill the Liquor Control Board, the Pennsylvania Public Utility Commission and a few other Departments that we would get a lot better government for all the people.

As far as getting knowledge is concerned, I do not believe that is all that we are getting by sitting on these boards. During the last hectic days of the General Assembly bills come flying into the House from all these Departments and every place, as long as we have Members on both sides who know what is going on in those various Departments, they are able to vote more intelligently. So, I say that rather than being a step in the wrong direction and a wrong philosophy, I think it is a step in the right direction.

Mr. ANDREWS. Mr. Speaker, I had not expected that such a basic and fundamental issue would be raised at this time. I, however, welcome the raising of it.

We have witnessed during recent years in the nation and in the states a gradual accretion of power in the hands of the chief executive; gradual accretion of power in the hands of the state departments, a gradual accretion of power in the hands of boards, commissions and what have you. We have reached the point where boards and commissions are having entrusted to them certain functions by this Legislature and then proceed after we have left the Hall of this House to in fact set themselves up as legislators and legislate and promulgate rules that have the force of law. Then, Mr. Speaker, we come here and find that these boards, these commissions, these departments that have had two years to think about what they were trying to do or what they wanted to do come to you and deluge this chamber with bills in the interest of an entrenched bureaucracy.

So, I say, Mr. Speaker, by means of the approach in this bill, it is simply a beginning of a process to recover for and on behalf of the legislative branch of our government that power which the legislative branch has permitted to slip out of its hands. So serious has the situation become, as you well know, that after protracted discussion in the State Government Commission there has appeared in the session a bill which would absolutely give the power to legislative groups to sit in with these boards and commissions to see what they are doing and call a check on them, if they are abusing the power of the Legislature as entrusted in their hands.

Mr. Speaker, one of the reasons that government is so expensive, that payrolls are so expensive, that there is so much waste, is because there is no possibility for this House to keep its eye on what is going on. I say to you that if the Members of this House realized that there are seven hundred empty beds for tubercular patients in this state, and that patients that should be in state institutions are in general hospitals, a burden on Philadelphia, a burden on Pittsburgh—that if the Members of this House actually knew what the health situation was and the inadequate way in which our department, highly publicized, with their highly paid press agents, have been actually operating, that we would be in a better position to legislate for them, to legislate for us and to legislate for the people.

So, Mr. Speaker, I am very sorry to disagree with the philosophy of the gentleman from Allegheny, but I am in disagreement, and I am strongly in favor of the approach that this bill presents because it is a means of regaining the legislative power which we have permitted to slip from our hands.

Mr. HOMER S. BROWN. Mr. Speaker, I just want first to say one thing to set the record clear, that the Constitution of Pennsylvania endows this General Assembly with one proposition insofar as making laws are concerned. These boards exercise a quasi-judicial, a quasi-executive function. We delegate that function to them. Our powers extend only to the legislative session in which we are engaged and to which we were elected. Therefore, it seems to me, if we want to extend those powers we ought to do it by extending the constitutional provision and not trying to go in the back door.

I am well aware of the gentleman's reference to the bill in the Senate, but I want to say on the floor of the House that I have nothing to worry about in regard to that bill, because I am certain the courts will find it to be an unconstitutional piece of legislation. Unfortunately for this particular piece of legislation, I feel that it will not get into the courts, because we are sitting there and just taking up space.

I say to you, Mr. Speaker, before going in this direction, we ought to study the matter carefully to see that we are not turning the clock backwards.

Mr. BRUNNER. Mr. Speaker, I rise to disagree regretfully with the gentleman from Allegheny, Mr. Brown.

I have for the past four years sat on the Appropriations Committee and a sub-committee which has met between sessions in an effort to find out for the membership of this House just what is going on in the various Departments, so that during the legislative session we can better understand the budgetary requests of those Departments. I have heard, as has he, former Members, like the late member from Delaware County, Mr. Turner, urge that the Legislature be given greater opportunity to participate in government, not from the standpoint of voting on these boards and commissions, but so that this Legislature could better understand for itself and find its own facts to help solve the problems which are presented to it at its biennial sessions.

Mr. Speaker, in my opinion this bill is worthy of our support. In my opinion this bill makes it easier for us as we come back every two years to understand intelligently the problems of government. I think the more we understand the more we comprehend, the more we participate in government in a capacity such as suggested by this bill, the better we will be in a position to administer the affairs of government. After all, it takes a lot of cheek for a group of men elected such as we are, to come here for a brief few months during the biennium and hope to administer for the remaining months of that biennium, a program embracing one billion dollars. The directors of one of the greatest corporations of our nation meets monthly to decide questions of importance to them, which do not approximate the size of the problems which we face here, and it is in hope that by our sitting on these boards and hearing the problems that we can bring back to the membership as a whole, facts and information which will make them in the future more informed and better informed, in the hope that better legislation will develop and that the people of Pennsylvania will profit.

Mr. McMILLEN. Mr. Speaker, I certainly did not anticipate that this bill would cause the discussion that it has, but I am delighted that it has done so. I think we are beginning to see the implications, we are beginning to see just what the possibilities of this piece of legislation really are. I think it is only fair to point out to this House since it has been inferred that I have a personal interest in the Aeronautics Commission, that that is very far from the truth, except as it relates to my legislative duties. I do not fly personally; I like it as an interest while I am here in Harrisburg. I would like to see aeronautics of this state developed to the place where Pennsylvania is second to none, and that is exactly where we are today.

In spite of the great development of the airways of Pennsylvania, I want to call to the attention of the Members, Mr. Speaker, that it is the only board or commission in the state of Pennsylvania that has appeared before the Appropriations Committee of this House and is admitting that their operating expenses for the next biennium are going to be lower than for the present biennium. Show me another board that is coming in and asking for less money. Show me another board whose operating expenses for personnel, office materials, and supplies, are decreasing.

Now, Mr. Speaker, I do not want to appear as taking cerdit for this decrease, not at all. That commission is composed of a high type of men, but nevertheless the Members of the Legislature sitting there know exactly what the personnel problem is, they know where the money is being spent. If you call that a deterrent influence, if you call that an overlording influence, then let it be that. If that will reduce the cost of operation of the state of Pennsylvania and use the money then in turn to give the children of Pennsylvania better schools;

to use that extra money to pay the school teachers of the Commonwealth a raise, then let it be overlordship; let it be just what it is.

Mr. NAGEL. Mr. Speaker, I desire to interrogate the gentleman from Indiana, Mr. McMillen.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, I do not rise to oppose this measure for I think it has merit, but I rise for information. Does this bill carry an appropriation for remuneration to the legislative appointees for their traveling and necessary expenses?

Mr. McMILLEN. Mr. Speaker, it does to the extent that all Members of the boards and commissions are reimbursed for their traveling expenses to and from meetings. There is no salary at all to any of the Members of this board or commission. They serve without pay. They give of their time and service and their experience to the Commonwealth.

Mr. NAGEL. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Altshuler,	Frank,	Limper,	Royer,
Amarando,	Frost,	Loftus,	Sax,
Andrews,	Gaffney,	Lovett,	Scanlon,
Bane,	Gallagher,	Madigan,	Schmidt,
Barkdoll,	George,	McCormack,	Scott,
Baumunk,	Gibson,	McCullough,	Seyler,
Beaver,	Glembocki,	McKinney,	Shoemaker,
Bednarek,	Good,	McMillen,	Smith, C. C.,
Blair,	Goodling,	Mikula,	Smith, W. B.,
Bloom,	Graybill,	Miller,	Snider,
Bomberger,	Green,	Milliken,	Sollenberger,
Boorse,	Greenwood,	Mills,	Spencer,
Bower,	Greer,	Mintess,	Stank,
Breisch,	Guarnieri,	Monroe,	Sternberg,
Brice,	Guthrie,	Moore, C. E.,	Stimmel,
Brown, Wm. E.,	Hagerty,	Moore, H. A.,	Stuart,
Brunner,	Hall,	Munley,	Swope,
Bucchin,	Hamilton,	Murray,	Tahl,
Cadwalader,	Harney,	Musto,	Taylor,
Clapper,	Harris,	Nagel,	Thompson,
Clendening,	Haudenshield,	Najaka,	Tompkins,
Cochran,	Helm,	Needham,	Toomey,
Cole,	Herman,	Neff,	Varallo,
Coleman,	Hersch,	O'Dare,	Varner,
Conway,	Hewitt,	O'Donnell,	Wachhaus,
Cooper,	Hocker,	Orban,	Wagner,
Costa,	Hoffman,	Penglase,	Wargo,
Dalrymple,	Hoggard,	Peta,	Waterhouse,
DeLong,	Jennings,	Petrosky,	Watkins,
Dennison,	Jim,	Pettigrew,	Weidner,
Depuy,	Johnson,	Pfaff,	Weiss,
Dougherty,	Jones, G. E.,	Polen,	Welsh,
Driscoll,	Jones, J. M.,	Posta,	Wescott,
Duffy,	Jump,	Price, H. W., Jr.,	Westrick,
Dye,	Keller,	Price, R. A.,	Wheeler,
Elder,	Kemp,	Readinger,	Williams,
Erb,	Kent,	Propert,	Wood,
Evans,	Kline,	Reagan,	Worley,
Felton,	Kohl,	Reidenbach,	Yaffe,
Ferster,	Kolankiewicz,	Reilly, J. M.,	Yeakel,
Firmstone,	Kratz,	Riley, R. L.,	Yetzer,
Flack,	Kurtz,	Robbins,	Young,
Fleming,	Lederer,	Robertson,	Ziegler,
Floyd,	Lee,	Rose,	Sorg,
Fox,	Leisey,	Rosen,	Speaker

NAYS—19

Brandon,	Hunter,	McNally,	Reynolds,
Brown, H. S.,	Jenkins,	Moran,	Sarraf,
Ewing,	Kamyk,	Nixon,	Verona,
Filo,	Kirley,	Olsen,	Yester,
Heatherington,	Leonard,	Powers,	

NOT VOTING—10

Boles,	Krise,	Pentrack,	Rovansek,
Breth,	McGee,	Reese,	Schuster,
Kondrath,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

BILLS PASSED OVER

There being no objection

House Bill No. 780, Printer's No. 375

House Bill No. 782, Printer's No. 371 and

House Bill No. 877, Printer's No. 376

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 879, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefinining "regulation" changing provisions governing promulgation of regulations imposing dutes on the Department of State extending the grounds for refusing to affirm adjudications agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of section two of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" is hereby amended to read as follows

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

* * * * *

(e) "Regulation" means any rule regulation or order [in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation] of general application and future effect promulgated by an agency under statutory authority prescribing the practice or procedure before such agency or interpreting or implementing any statute enforced or administered by such agency

Section 2 Section twenty-one of said act as amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1367) is hereby further amended to read as follows

Section 21 Regulations [All regulations of any agency which are in effect on the effective date of this act or which shall be adopted thereafter shall have no effect unless they are printed and made available upon written request within thirty days after the date of adoption] All regulations of any agency which are in effect on the effective date of these amendments or which shall be

adopted prior to the first day of December one thousand nine hundred forty-nine shall expire on the first day of January one thousand nine hundred fifty unless a copy thereof certified by the executive officer chairman or secretary of the agency and approved as to legality by the Department of Justice is filed in the Department of State in such form and size as shall be prescribed by the Department of State and copies thereof are made available by the adopting agency upon written request prior to the first day of January one thousand nine hundred fifty Regulations adopted after the thirtieth day of November one thousand nine hundred forty-nine shall have no effect unless a copy thereof certified by the executive officer chairman or secretary of the agency and approved as to legality by the Department of Justice is filed in the Department of State in such form and size as shall be prescribed by the Department of State and copies thereof are made available by the adopting agency upon written request within thirty days after the date of adoption

Section 3 Said act is hereby amend by adding after section twenty-one thereof a new section to read as follows

Section 22 Permanent Record of Regulations The Department of State shall maintain a permanent record of all regulations filed with it Such record may be in the form of microfilm or other reproductions in which event the original certified and approved copies need not be retained The Department of State shall furnish certified copies of any regulation filed with it upon the payment of the charges made for certified copies of other records on file in the department The Department of State shall prepare and publish in such form and at such time or times as it shall determine an index of all regulations on file with it and periodic supplements thereto The Department of State shall have power to adopt and enforce rules governing the physical form and size of regulations to be filed with it and such other rules as it deems necessary in carrying out its functions under the provisions of this act

Section 4 Section thirty-four of said act is hereby amended to read as follows

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings [and the reasons for the adjudication] of fact a discussion of the questions of fact and law involved conclusions of law and an order or decree and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 5 Said act is hereby amended by adding after section thirty-five thereof a new section to read as follows

Section 36 Notice to Department of Justice Before notice of any hearing leading to an adjudication is given the agency shall submit the matter to its representative in the Department of Justice who shall pass upon the legality of the proposed action or defense

Section 6 Sections forty-four forty-five and fifty-one of said act are hereby amended to read as follows

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence in view of the record or that the adjudication is arbitrary capricious an abuse of discretion or otherwise not in accordance with law If the adjudication is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior [or Supreme] Court [as in other cases]

[Exemptions

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of sections thirty-one to forty-five inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final]

Application of Act

Section 51 (a) Except as hereinafter provided in clause (d) the provisions of sections twenty-one and twenty-two shall apply to all agencies of the Commonwealth

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board or of the Board of Arbitration of Claims nor to adjudications of those agencies not enumerated in clause (c) of this section unless any such agency has been made subject to the provisions of this act by any other act of assembly

(c) All of the provisions of this act shall apply to the following agencies (1) Department of Agriculture (2) Department of State (except election cases) (3) Insurance Department (except as hereinafter provided) (4) Department of Public Instruction in so far as relates to its powers and duties in the issuance of licenses to barbers and beauty culture operators (5) Board of Property (6) State Council of Education (7) State Board of Censors (8) State Board of Medical Education and Licensure (9) State Board of Pharmacy (10) State Dental Council and Examining Board (11) State Board of Optometrical Examiners (12) State Board of Osteopathic Examiners (13) Osteopathic Sugeons' Examining Board (14) State Board of Examiners for the Registration of Nurses (15) State Board of Veterinary Medical Examiners (16) State Board of Examiners of Architects (17) State Registration Board of Professional Engineers (18) State Real Estate Commission (19) State Board of Examiners of Public Accountants (20) State Board of Private Business Schools (21) Pennsylvania Securities Commission (22) State Soil Conservation Commission (23) Water and Power Resources Board (24) Flood Control Commission (25) Anthracite Mine Inspectors' Examining Board (26) Mine Inspectors' Examining Board for the Bituminous Coal Mines (27) State Bridge and Tunnel Commission (28) Pennsylvania Parkway Commission (29) Sanitary Water Board (30) State Board of Undertakers (31) State Workmen's Insurance Board (32) Industrial Board (33) State Board of Vocational Rehabilitation (34) State Welfare Commission (35) State Athletic Commission (36) State Board of Public Assistance (37) Pennsylvania Aeronautics Commission (38) State Planning Board (39) State Civil Service Commission (40) State Tax Equalization Board

[(c)] (d) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies nor to the Milk Control Commission

Section 7 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise,	Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1031, as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and possessing with intent to sell of adulterated or deleterious ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard including sherbet frozen ice confections frozen sherbet confections frozen dairy confections ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing for licensing conferring powers and imposing duties upon the Department of Agriculture prescribing penalties and providing for the enforcement thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every such frozen milk product which contains more than five per centum (5%) by weight of milk fat milk solids not fat or milk and milk solids not fat and which in any manner simulates the texture or characteristic of ice cream no matter under what coined or trade name it may be sold Ice cream shall be made from a combination of one or more of the following ingredients viz any clean and wholesome cream milk and all forms of milk fat and any clean and wholesome form of milk solids not fat with one or more of the following ingredients sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water flavor stabilizer emulsifier egg or egg products harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer and may contain not more than one-fifth of one per centum (1/5 of 1%) by weight of emulsifier provided however that the stabilizer and/or emulsifier has been approved by the Department of Agriculture The finished product shall contain not less than ten per centum (10%) of milk fat by weight except when fruit nuts cocoa or cholocate cakes or confections are added for the purpose of flavoring then it shall contain not less than ten per centum (10%) by weight of milk fat except for such reduction in milk fat as is due to the addition of such flavoring but in no such case shall it contain less than eight per centum (8%) by weight of milk and chocolate and cocoa flavored ice cream shall in no event contain less than ten per centum (10%) of total fat

For the purpose of this act "custard ice cream" "french ice cream" "french custard" and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and in addition shall contain not less than one and four-tenths per centum (1.4%) by weight of egg yolk solids except when it contains fruit or nuts when it shall contain not less than one and one-tenth per centum (1.1%) by weight of egg yolk solids

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing not less than three per centum (3%) nor more than five per centum (5%) by weight of total milk solids the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale Sherbet shall be made from any clean and wholesome cream milk and all forms of milk solids and one or more of the following sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water fruit or fruit flavoring material stabilizer harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture and shall contain not less than thirty-five one-hundrdths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from fruit flavoring material or by the addition of citric tartaric or lactic acid

For the purpose of this act "ice" or "fruit ice" is hereby

defined as any frozen sweetened fruit flavored product the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined named it may be sold or offered for sale and shall contain no milk solids whatsoever It shall be made from a combination of some or all of the following ingredients viz sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water stabilizer harmless coloring which does not conceal either damage or inferiority fruit or fruit flavoring material The finished product shall contain not less than thirty-five one-hundredths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid and the finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture

For the purpose of this act "frozen ice confections" are defined as "ice" or "fruit ice" as herein defined manufactured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "ice" or "fruit ice" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "frozen sherbet confections" are defined as "sherbet" as herein defined manufactured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "sherbet" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "imitation ice cream" or "ice cream substitute" are defined as (1) any frozen sweetened product regardless of the name under which it is manufactured sold or offered for sale which is made in imitation or semblance of or is manufactured in a manner similar to the process used in manufacturing but is not ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection as defined in this act (2) any frozen sweetened product labeled as a product herein defined which does not comply with such defined standards

For the purpose of this act an "ice cream plant" shall mean any place premises or establishment where ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection are manufactured prepared or processed for distribution or sale.

Section 2 (a) It shall be unlawful for any person by himself or by his agents servants or employes to sell offer for sale exposefor sale or have in possession with intent to sell ice cream custard ice cream french ice cream french custard frozen ice confections or frozen sherbet confections sherbet ice or fruit ice coated or uncoated or the coating thereof which is adulterated within the meaning of this act or to sell offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream substitute as defined in this act

(b) It shall be unlawful for any person by himself or by his agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbets ices or fruit ices coated or uncoated which are not registered with the Department of Agriculture as required in this act The possession of any such nonregistered product shall be deemed prima facie evidence of an intent to sell the same provided however that such establishments as hotels dining rooms and boarding houses where the above named products are produced and consumed only on the premises need not register such products with the Department of Agriculture

(c) It shall be unlawful to import into this Commonwealth for sale any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice coated or uncoated unless the same are registered with and the manufacture thereof has been licensed by the Department of Agriculture as provided in this act

Section 3 Any frozen sweetened product referred to in this act shall be deemed to be adulterated within the meaning of this act

First If it contains any added preservative any artificial sweetner including saccharin dulcin or any other substance or compound that is deleterious to health

Second If it contains any coloring substance deleterious to health provided that this paragraph shall not be construed to prohibit the use of harmless coloring matter from a list of permitted coloring material established by the Department of Agriculture when such use does not conceal damage or inferiority

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any paraffin synthetic fats oils or fats other than milk fats added to or blended or compounded with it provided however that chocolate ice cream may contain cocoa butter and the coating of coated ice cream may contain cocoa butter or other clean and wholesome edible vegetable oils and provided that the use of mulsifying products including lecithin of the nature of polyhydric alcohol esters of fatty acids when approved by the Department of Agriculture and used only to the extent herein provided shall not be deemed in violation of the foregoing provisions

Fifth If it is imitation ice cream or ice cream substitute as defined in this act

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice except that ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice when properly wrapped or packaged by the manufacturer and in unbroken packages or containers for delivery to the consumer may be offered for sale from one or more separate compartments of a refrigerated container or cabinet of which other separate compartments contain properly wrapped unbroken and sealed packages of frozen foods ready for delivery to the consumer Nothing contained in this clause shall be construed to modify in any way section 4 of this act

Seventh If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this act or is falsely labeled or labeled contrary to the provisions of this act

Eighth If it is manufactured under conditions not in conformity with the provisions of section five of this act

Ninth If it contains less than one and eight-tenths (1.8) pounds total food solids per gallon in the finished product or weighs less than four and seventy-five hundredths (4.75) pounds per gallon or if any package or container of a different unit contains less than a proportionate amount of total food solids or weighs proportionately less

Section 4 (a) Every manufacturer shall plainly and distinctly mark every package or container of product sold as ice cream or custard ice cream french ice cream french custard frozen custard or "sherbet" or ice fruit ice or frozen ice confections or frozen sherbet confections or as a combination of these products The products so marked or labeled shall conform with the definitions or standards for such product in this act

(b) It shall be unlawful to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard custard frozen custard frozen ice combinations

frozen sherbet confections sherbets ices or fruit ices in any container or package which is not plainly and distinctly marked with the name of the manufacturer and address of the plant of the manufacturer thereof or in lieu of suchr name and address the name and address of the distributor preceded or followed by the words distributed by or distributor Packages bearing a distributor's name and address in lieu of the actual name and address of the manufacturer must bear a code identifying the manufacturer and the plant where manufactured Such code record must be kept for five years from the date of sale of the product by both the manufacturer and the distributor and such records shall be open to inspection by the Department In addition when products are sold under a distributor's name and address the package or container must bear the words Registered with the Pennsylvania Department of Agriculture the following abbreviation being acceptable "Reg Penna Dept Agr" and the code mark shall immediately follow these words

(c) It shall be unlawful for any person to use or cause or allow to be used any equipment cabinet can or other container or refrigerating device belonging to one ice cream manufacturer for the purpose of preserving or holding any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food sold or furnished to him by any person not owning said equipment for for any person knowingly to supply or place or deposit ice cream custard ice cream french ice cream french frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food of one ice cream maufacturer or distributor in any equipment cabinet can or other container belonging to another ice cream manufacturer or distribtor It is unlawful for any person other than the owner to remove erase obliterate cover or conceal any manufacturer's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other cointainer

Section 5 It shall be unlawful to operate any ice cream plant unless it shall be maintained and operated with strict regard for the purity and wholesomeness of the frozen sweetened products produced therein The entire establishment and its appertaining premises including fixtures furnishings machinery apparatus implements utensils receptacles and all equipment used in production keeping storing handling or distributing shall be maintained and operated in a clean sanitary manner. All equipment and utensils used in the production of any sweetened frozen product whose surfaces come in contact with any such product or any of the ingredients thereof shall be thoroughly sterilized after using The clothing habits and conduct of the employes shall be conducive to and promote cleanliness and sanitation There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing constructed maintained and operated in a clean sanitary manner All places where ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice are made shall be enclosed and the freezers and fillers shall not be operated in a room access to which is allowed to the public unless the freezers fillers and raw materials are set apart in an enclosure so as to prevent contamination

Section 6 (a) It shall be the duty of every person whether resident or nonresident of this Commonwealth operating an ice cream plant or plants to apply to the Department of Agriculture for a license to do so and to register with the Department each plant and every brand of product produced or manufactured in such plant on or before the first day of January of each year or before any operation is undertaken if after January first and to pay to the Department at the time such application for registration and license is filed an annual license fee which shall expire on the following December thirty-first as follows

For each ice cream plant producing annually not in excess of one hundred thousand (100,000) gallons ten dollars ($10) in excess of one hundred thousand (100,000) gallons and not in excess of two hundred and fifty thousand (250,000) gallons fifty dollars ($50) and in excess of two hundred and fifty thousand (250,000) gallons one hundred dollars ($100)

(b) The application for a license and registration shall be made on a form to be supplied by the Department The application shall have attached thereto the affidavit of the person or of some member or officer of the association co-partnership or corporation applying therefor stating that the facts set forth therein are true and correct

(c) Upon approval of application for registration and license and payment of required license fee and also approval of sanitary conditions in an ice cream plant the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said plant for the calendar year or portion thereof for which a license or certificate or registration shall be issued.

(d) Establishments such as hotel dining rooms and boarding houses where the products defined herein are produced and consumed only on the premises need not comply with the licensing and registration provisions of this act But the other provisions of this law shall apply to such establishments

Section 7 The Department of Agriculture is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plant is not operated in a proper and sanitary manner as hereinbefore provided

Section 8 The Department of Agriculture is authorized to adopt and promulgate such rules and regulations including definitions and standards which are not inconsistent with the definitions and standards herein as are necessary for the proper enforcement of the provisions of this act The Department of Agriculture is charged with the enforcement of the provisions of this act provided however that this provision shall not prevent any person from making complaint in the usual manner before any magistrate alderman or justice of the peace of any city borough incorporated town or township of this Commonwealth where the alleged violation took place for a violation of the provisions of this act

Section 9 (a) Any person violating any of the provisions of this act or any rule or regulation or definition and standard of the Department of Agriculture made pursuant thereto shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) and costs of prosecution or in default of such fine and costs in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment in the county jail of not less than thirty (30) days nor more than sixty (60) days and for a third or subsequent offense shall be guilty of a misdemeanor and sentenced to pay a fine not exceeding one thousand dollars ($1000) or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment not exceeding one year or both in the discretion of the court

All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

(b) The Attorney General at the request of the Department may in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining the conduct of business in this Commonwealth contrary to the provisions of this act and for such purpose jurisdiction is

hereby conferred upon said court In such case the Attorney General shall not be required to give bond

Section 10 (a) The provisions of this act shall not be construed to be impaired or in any way affected by the provisions of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" or its amendments

Section 11 The act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture safe offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custar dsherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" as amended is hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, House Bill 1031 is somewhat different from the usual run of legislation. You will notice on bills as a rule when you amend some act of the Legislature, in the beginning you so state, but in House Bill 1031 you practically write a new bill, giving all kinds of power to the Department of Agriculture. Then we find at the end of the bill that we repeal certain acts that have already been on the statute books for the benefit of the interested parties.

In this day and age when we travel so fast in the Legislature, I think that we should take time out to give consideration to this type of bill. The policy on the other side of this House to my mind has always been opposed to rules and regulations. They think that business should be free, but we find in legislation like this that we do just the opposite; they want regulation. Whether it is the Department that is asking for this legislation or whether it is the ice cream companies who are interested, I don't know. I find that the fines in here are somewhat steep. I am always opposed to the fact that we send out someone from some state department into our small businesses throughout the state of Pennsylvania to police something that should be policed by the contract of those people who place refrigeration in the stores. The contract itself should do the policing and not the state department. Therefore, I do not think we should vote for this type of legislation.

Mr. KENT. Mr. Speaker, I would like to say a few words to the Members of the House by way of explanation of House Bill 1031.

House Bill 1031 is really nothing more than a reenactment of the present law which is the Act of 1937 covering the manufacture of ice cream and ice cream products. The bill does change a few items; it brings the law with respect to the manufacture of ice cream and ice cream products up to date; it takes care of situations in the manufacturing processes which have developed and become common in the industry since the Act of 1937 was passed.

The Act of 1937 was amended, and it was thought that it would be more advisable to have the industry in the manufacture of ice cream controlled by one bill, to have all the regulations in one bill, rather than doing it by isolated amendments. The changes are minor and in some cases they set a better standard by which the public, the consuming public is protected, and in at least one case the law is liberalized so that the storekeeper can take advantage of a particular cabinet which he has in his store now, so that he can keep frozen foods, packaged frozen foods, in the same cabinet with packaged ice cream, which under the present law he is unable to do.

I do want to say that the bill is not the bill of the ice cream manufacturing industry in its entirety. The provisions of the bill have been considered and studied by the ice cream industry, both the large manufacturers and small manufacturers. It has been considered and studied by the Department of Agriculture of Pennsylvania and has the approval of the Department of Agriculture. The Department of Dairy Husbandry of Pennsylvania State College has considered the provisions of this bill, and the changes have met with the approval of that department, and they do approve the provisions of this bill.

So far as making any regulations are concerned in any kind of business, certainly the ice cream business is one which this state should regulate in order to protect the consuming public, because ice cream happens to be a product which is readily susceptible to adulteration and contamination if it is not controlled and its distribution and manufacture is not regulated. Certainly no other department can do it better than the Department of Agriculture has been doing it ever since the inception of this law, and they will continue to do so under the present bill.

So far as the question of repeal is concerned, it does not repeal any act except the Act of 1937, which it would naturally do by action of law if nothing else, because it simply reenacts the provisions of that Act. I would say it is good legislation and there is no intent in it to defraud anyone or to protect the ice cream industry. It is specificaly designed to protect the people of Pennsylvania who consume the ice cream that is made in this state, and I ask Members of this House to vote in favor of this bill.

Mr. MUSTO. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Crawford, Mr. Kent.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. MUSTO. Mr. Speaker, does the gentleman from Crawford say that this bill which he has introduced gives any protection to the small storekeeper, the country store, that gives the privilege to the ice cream people to put their ice cream freezer in their stores? What protection has the proprietor of this store got if a package is misplaced by a clerk in this store?

Mr. KENT. Mr. Speaker, I don't quite understand the

gentleman's question,—what kind of a package is being misplaced, where is it being misplaced. I do not understand the question.

Mr. MUSTO. Mr. Speaker, my question is if there is anything in that freezer except what the ice cream concern calls for, then that is a violation of the law according to this bill, if found in that freezer?

Mr. KENT. That is true, Mr. Speaker. That has been the law, I believe, since 1937.

Mr. MUSTO. Then the genteman says, does he not, that the law still does exist that if there is anything in this ice cream freezer outside of what the ice cream concern wants in there, then it is a violation of the law at the present time?

Mr. KENT. Mr. Speaker, with this exception, this bill provides that the storekeeper can keep packaged frozen foods in his cabinet in a separate compartment, but in the same cabinet with the packaged ice cream.

Mr. Speaker, to answer the gentleman's question further, the owner of the cabinet does not have complete control as to what goes into it. The law now provides that nothing but ice cream be kept in the cabinet in which ice cream is being kept. So, this act really liberalizes that phase of it and removes that restriction in that one case.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Kent.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman from Crawford have any figures to show how many arrests were made under the original act by the Department of Agriculture.

Mr. KENT. Does the gentleman mean under the Act of 1937, Mr. Speaker?

Mr. LOVETT. Under the original act.

Mr. KENT. For what, Mr. Speaker?

Mr. LOVETT. Mr. Speaker, for violation of the health laws in regard to purification of ice cream or whatever it may be.

Mr. KENT. Mr. Speaker, I have no such figures.

Mr. LOVETT. I want to thank the gentleman.

Mr. Speaker, the gentleman has pretty well summarized what the bill does. He does not have any information in regard to whether or not there was a violation under the original act. He tells us that now we liberalize and we allow certain things to go into the containers, but we also liberalize it to the extent where the Department of Agriculture can now make rules and regulations and possibly cause a lot of trouble throughout the state of Pennsylvania. So therefore, I still maintain that it is unnecessary legislation.

Mr. KENT. Mr. Speaker, I also would like to make further clarification that the fines which are provided under this bill in case of violation of the act are the same; they have not been increased in any instance as provided for in the Act of 1937.

Mr. GUARNIERI. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Kent.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Speaker, I notice in this particular bill it provides for injunction proceedings for any violations, is that corerct?

Mr. KENT. That is correct, Mr. Speaker.

Mr. GUARNIERI. Mr. Speaker, does the present act or does it not provide for this procedure?

Mr. KENT. Mr. Speaker, it does; it is exactly the same.

Mr. GUARNIERI. Mr. Speaker, I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Altshuler,	Frank,	Leonard,	Robertson,
Amarando,	Frost,	Limper,	Rose,
Andrews,	Gaffney,	Loftus,	Rosen,
Bane,	Gallagher,	Madigan,	Royer,
Barkdoll,	George,	McCormack,	Sarraf,
Baumunk,	Gibson,	McCullough,	Sax,
Beaver,	Glembocki,	McGee,	Scanlon,
Bednarek,	Good,	McKinney,	Schmidt,
Blair,	Goodling,	McMillen,	Schuster,
Bloom,	Graybill,	McNally,	Scott,
Boies,	Green,	Mikula,	Seyler,
Bomberger,	Greenwood	Miller,	Shoemaker,
Boorse,	Greer,	Milliken,	Smith, C. C.,
Bower,	Guarnieri,	Mills,	Snider,
Brandon,	Guthrie,	Mintess,	Sollenberger,
Breisch,	Hagerty,	Monroe,	Spencer,
Brice,	Hall,	Moore, C. E.,	Stank,
Brown, H. S.,	Hamilton,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Harney,	Moran,	Stimmel,
Brunner,	Harris,	Munley,	Stuart,
Cadwalader,	Haudenshield,	Murray,	Swope,
Clapper,	Heatherington,	Musto,	Tahl,
Clendening,	Helm,	Najaka,	Taylor,
Cochran,	Herman,	Needham,	Thompson,
Cole,	Hersch,	Neff,	Tompkins,
Coleman,	Hewitt,	Nixon,	Toomey,
Conway,	Hocker,	O'Dare,	Varallo,
Cooper,	Hoffman,	O'Donnell,	Varner,
Costa,	Hoggard,	Olsen,	Wachhaus,
Dalrymple,	Hunter,	Orban,	Wagner,
DeLong,	Jenkins,	Penglase,	Wargo,
Dennison,	Jennings,	Peta,	Waterhouse,
Depuy,	Johnson,	Petrosky,	Watkins,
Dougherty,	Jones, G. E.,	Pettigrew,	Weidner,
Driscoll,	Jones, J. M.,	Pfaff,	Welsh,
Duffy,	Jump,	Polen,	Wescott,
Dye,	Kamyk,	Powers,	Westrick,
Elder,	Keller,	Price, H. W., Jr.,	Wheeler,
Erb,	Kemp,	Price, R. A.,	Williams,
Evans,	Kent,	Propert,	Wood,
Ewing,	Kirley,	Readinger,	Worley,
Felton,	Kline,	Reagan,	Yaffe,
Ferster,	Kohl,	Reese,	Yeakel,
Filo,	Kolankiewicz,	Reidenbach,	Yester,
Firmstone,	Kratz,	Reilly, J. M.,	Yetzer,
Flack,	Kurtz,	Reynolds,	Young,
Fleming,	Lederer,	Riley, R. L.,	Ziegler,
Floyd,	Lee,	Robbins,	Sorg,
Fox	Leisey,		Speaker

NAYS—7

Bucchin.	Lovett,	Posta,	Weiss,
Jim	Nagel,	Smith, W. B.,	

NOT VOTING—7

Breth,	Krise,	Pentrack,	Verona,
Kondrath,	Mihm,	Rovansek,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, as follows:

An Act to further amend subsection (2) of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (2) of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Withdrawal

Section 11 * * * * *

(2) Should a State employe so separate from his or her service as State employe without retiring return within [ten] fifteen years and restore to the State Employes' Retirement Fund to the credit of the annuity savings account in such manner as may be agreed upon by the State employe and the retirement board his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at the time of separation from service shall be restored and his obligations as a member of the retirement association shall begin again but nothing contained in this clause shall limit the right of a State employe who has heretofore retired or shall hereafter retire voluntarily or involuntarily to return to service as a State employe at any time and to continue from the time of reentry into State service his rights as an original or new member as they existed at the time of retirement and add to such rights by further service and by further payroll deductions in any such case his or her annuity or allowance shall cease upon reentry into State service until subsequent retirement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frank,	Limper,	Robertson,
Amarando,	Frost,	Loftus,	Rose,
Andrews,	Gaffney,	Lovett,	Rosen,
Bane,	Gallagher,	Madigan,	Royer,
Barkdoll,	George,	McCormack,	Sarraf,
Baumunk,	Gibson,	McCullough,	Sax,
Beaver,	Glembocki,	McGee,	Scanlon,
Bednarek,	Good,	McKinney,	Schmidt,
Blair,	Goodling,	McMillen,	Schuster,
Bloom,	Graybill,	McNally,	Scott,
Boles,	Green,	Mihm,	Seyler,
Bomberger,	Greenwood	Mikula,	Shoemaker,
Boorse,	Greer,	Miller,	Smith, C. O.,
Bower,	Guarnieri,	Milliken,	Smith, W. B.
Brandon,	Guthrie,	Mills,	Snider,
Breisch,	Hagerty,	Mintess,	Sollenberger,
Breth,	Hall,	Monroe,	Spencer,
Brice,	Hamilton,	Moore, C. E.,	Stank,
Brown, H. S.,	Harney,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Harris,	Moran,	Stimmel,
Brunner,	Haudenshield,	Munley,	Stuart,
Bucchin,	Heatherington,	Murray,	Swope,
Cadwalader,	Helm,	Musto,	Tahl,
Clapper,	Herman,	Nagel,	Taylor,
Clendening,	Hersch,	Najaka,	Thompson,
Cochran,	Hewitt,	Needham,	Tompkins,
Cole,	Hocker,	Neff,	Toomey,
Coleman,	Hoffman,	Nixon,	Varallo,
Conway,	Hoggard,	O'Dare,	Varner,
Cooper,	Hunter,	O'Donnell,	Verona,
Costa,	Jenkins,	Olsen,	Wachhaus,
Dalrymple,	Jennings,	Orban,	Wagner,
DeLong,	Jim,	Penglase,	Wargo,
Dennison,	Johnson,	Pentrack,	Waterhouse,
Depuy,	Jones, G. E.,	Peta,	Watkins,
Dougherty,	Jones, J. M.,	Petrosky,	Weidner,
Driscoll,	Jump,	Pettigrew,	Weiss,
Duffy,	Kamyk,	Pfaff,	Welsh,
Dye,	Keller,	Polen,	Wescott,
Elder,	Kemp,	Posta,	Westrick,
Erb,	Kent,	Powers,	Wheeler,
Evans,	Kirley,	Price, H. W., Jr.,	Williams,
Ewing,	Kline,	Price, R. A.,	Wood,
Felton,	Kohl,	Propert,	Worley,
Ferster,	Kolankiewicz,	Readinger,	Yaffe,
Filo,	Kondrath,	Reagan,	Yeakel,
Firmstone,	Kratz,	Reese,	Yester,
Flack,	Kurtz,	Reidenbach,	Yetzer,
Fleming,	Lederer,	Reilly, J. M.,	Young,
Floyd,	Lee,	Reynolds,	Ziegler,
Fox.	Leisey,	Riley, R. L.,	Sorg,
	Leonard.	Robbins,	Speaker

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1194, Printer's No. 423

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1262, as follows:

An Act to amend sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases

heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by permitting the central police court to close each day providing for the assignment of magistrates to divisional police courts eliminating provisions requiring rotation of magistrates assigned to police stations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" are hereby amended to read as follows

Section 10 There shall be established a certral police court in the city hall of the city of Philadelphia [which shall be open with a magistrate continually present thereat during the entire twenty-four hours of each day and] to which the mayor of the city of Philadelphia shall regularly assign from the body of magistrates a sufficient number of magistrates to hold the same for the period of one month Provided however That the same magistrate shall not be assigned for consecutive months and that no magistrate shall be assigned to said court more than once in every six months

Section 11 It shall be the duty of the chief magistrate to appoint and assign in rotation in the manner prescribed by the board of magistrates magistrates to serve as committing magistrates in the several [police stations] divisional police courts in the city of Philadelphia but magistrate shall be assigned longer than one month to the same [station house] divisional police court in any one year [Provided however That the] The chief magistrate after consultation with the district attorney and the director of public safety of the city of Philadelphia shall select not less than ten nor more than fifteen station houses which shall be known as divisional police courts and in which in addition to the hearings regularly held therein shall be held exclusively the hearings of all persons arrested on sight or on a police warrant for the following indictable offenses that is to say For treason sedition murder voluntary and involuntary manslaughter abortion arson blackmail perjury and subornation of perjury sodomy kidnapping mayhem receiving stolen goods obtaining money or other property by false pretense carrying concealed deadly weapons operating an automobile while under the influence of intoxicating liquor the illegal possession and sale of machine guns and firearms and the illegal possession sale and use of narcotic drugs and also all forms of bribery rape assault and battery to ravish robbery burglary and entering with intent to commit a felony or felonies larceny forgery fraudulently making uttering and publishing written instruments felonious assaults and batteries extortion keeping setting up and maintaining lotteries gambling houses gambling machines pool selling and book making keeping maintaining and frequenting bawdy houses and houses of assignation pandering and prostitution embezzlement fraudulent conversion offenses by public officers and also all conspiracies solicitations and attempts to commit any of the foregoing offenses and aiders abetters and accessories before and after the fact to said offense and compounding of the same

The said divisional police courts shall be selected from among the district police stations in such manner that they shall be most suitably and conveniently located for the dispatch of the public business therein and as far as practicable for the equal distribution among said divisional police courts of the hearings hereby required to be held therein exclusively The magistrates assigned to preside at the divisional police courts shall also be assigned by the chief magistrate in rotation in the manner prescribed by this act and no magistrate shall be assigned longer than one month to the same divisional police court and every magistrate shall be assigned to each divisional police court in turn It is the intention of this section that there shall be established a system of rotation whereby the same magistrates shall not be repeatedly assigned to the same [police station or] divisional police court and the judges of the courts of common pleas of Philadelphia County are hereby given authority to enforce this provision Nothing herein contained shall operate to deprive any magistrate before whom a criminal case has been lawfully begun of jurisdiction and authority fully and completely to hear and dispose of the same and of all charges growing out of or connected with the transaction involved therein notwithstanding the charge or charges upon which the accused is held or convicted may not be within the jurisdiction of the divisional or district police court as the case may be in which the magistrate is sitting at the time

It is hereby declared that the foregoing enumeration of offenses is intended to be inclusive and not exclusive and shall be liberally interpreted to carry out the legislative purpose as generally expressed therein

No magistrate shall receive any additional compensation for acting as committing magistrate at any police station or at any divisional police court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altsnuler,	Frost,	Loftus,	Robertson,
Amarando,	Gaffney,	Lovett,	Rose,
Andrews,	Gallagher,	Madigan,	Rosen,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,

DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,		Speaker

NAYS—0

NOT VOTING—2

Krise,	Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1294, Printer's No. 457 and

Senate Bill No. 351, Printer's No. 131

were passed over at the request of the SPEAKER.

Agreeably to order,

The House Proceeded to the third reading and consideration of Senate Bill No. 396, entitled:

An Act to repeal the act approved the ninth day of June, one thousand eight hundred eighty-one (P. L. 89), entitled "An act to authorize foreign corporations to become corporations of Pennsylvania and to prescribe the mode for their so doing."

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 559, as follows:

An Act to further amend section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the adoption and alteration of budgets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 237) is hereby further amended to read as follows

Sction 1701 Annual Budget Regulation of Appropriations The board of township commissioners of townships shall each year within sixty days after the first Monday of January and at least thirty days prior to the adoption of the annual budget prepare a proposed budget for all funds showing an estimate of the several amounts of money which will be required for the several specific purposes of township government and expenses during the current fiscal year and by ordinance appropriate out of the revenues available for the year the specific sums required as shown by the budget as finally adopted Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the township for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases The tax levied by the township authorities shall be fixed at such figure within the limit allowed by law as with all other sources of revenue will meet and cover said appropriations The total appropriation shall not exceed the revenues available for the fiscal year If the funds available from taxation and other sources shall be estimated to be in excess of the requirements of the current fiscal year an appropriation may be made for the payment of township orders or indebtedness of the previous years.

The budget shall be prepared on a uniform form prepared and furnished as provided in section one thousand seven hundred and one A of this act Final action shall not be taken on the proposed budget until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The township commissioners after making such revisions and changes therein as appear advisable shall adopt the budget

The township commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law

The township commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year However when a transfer of over five per cent of an appropriation item is made within a fund or when a transfer of over five per cent of the total appropriation to a fund is made from said fund to another fund an affirmative vote of two-thirds of the township commissioners shall be required

Within fifteen days after the adoption of the budget the township commissioners shall file a copy of the same in the office of the Department of Internal Affairs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Limper,	Robertson,
Amarando,	Gaffney,	Loftus,	Rose,
Andrews,	Gallagher,	Lovett,	Rosen,
Bane,	George,	Madigan,	Royer,
Barkdoll,	Gibson,	McCormack,	Sarraf,
Baumunk,	Glembocki,	McCullough,	Sax,
Beaver,	Good,	McGee,	Scanlon,
Bednarek,	Goodling,	McKinney,	Schmidt,
Blair,	Graybill,	McMillen,	Schuster,
Bloom,	Green,	McNally,	Scott,
Boles,	Greenwood,	Mihm,	Seyler,
Bomberger,	Greer,	Mikula,	Shoemaker,
Boorse,	Guarnieri,	Miller,	Smith, C. C.,
Bower,	Guthrie,	Milliken,	Smith, W. B.,
Brandon,	Hagerty,	Mills,	Snider,
Breisch,	Hall,	Mintess,	Sollenberger,
Breth,	Hamilton,	Monroe,	Spencer,
Brice,	Harney,	Moore, C. E.,	Stank,
Brown, H. S.,	Harris,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stimmel,
Brunner,	Heatherington,	Munley,	Stuart,
Bucchin,	Helm,	Murray,	Swope,
Cadwalader,	Herman,	Musto,	Tahl,
Clapper,	Hersch,	Nagel,	Taylor,
Clendening,	Hewitt,	Najaka,	Thompson,
Cochran,	Hocker,	Needham,	Tompkins,
Cole,	Hoffman,	Neff,	Toomey,
Coleman,	Hoggard,	Nixon,	Varallo,
Conway,	Hunter,	O'Dare,	Varner,
Cooper,	Jenkins,	O'Donnell,	Verona,
Costa,	Jennings,	Olsen,	Wachhaus,
Dalrymple,	Jim,	Orban,	Wagner,
DeLong,	Johnson,	Penglase,	Wargo,
Dennison,	Jones, G. E.,	Pentrack,	Waterhouse,
Depuy,	Jones, J. M.,	Peta,	Watkins,
Dougherty,	Jump,	Petrosky,	Weidner,
Driscoll,	Kamyk,	Pettigrew,	Weiss,
Duffy,	Keller,	Pfaff,	Welsh,
Dye,	Kemp,	Polen,	Wescott,
Elder,	Kent,	Posta,	Westrick,
Erb,	Kirley,	Powers,	Wheeler,
Evans,	Kline,	Price, H. W., Jr.,	Williams,
Ewing,	Kohl,	Price, R. A.,	Wood,
Felton,	Kolankiewicz,	Propert,	Worley,
Ferster,	Kondrath,	Readinger,	Yaffe,
Filo,	Kratz,	Reagan,	Yeakel,
Firmstone,	Kurtz,	Reese,	Yester,
Flack,	Lederer,	Reidenbach,	Yetzer,
Fleming,	Lee,	Reilly, J. M.,	Young,
Floyd,	Leisey,	Reynolds,	Ziegler,
Fox,	Leonard,	Riley, R. L.,	Sorg,
Frank.		Robbins,	Speaker

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

ANNOUNCEMENT

The SPEAKER. The Chair desires to inform the Members that in a few minutes, without objection, he proposes to declare a recess until 4:30.

During the time of recess there will be a caucus of the Republican Members in the new House caucus room, and a caucus of the Democratic Members in the old House caucus room.

The Chair desires to inform the Members also that at the time of expiration of the recess at 4:30 there will be further important business to be transacted. Members are requested to return at that time. The Chair desires to inform the Members that the session will not be long after recess.

RECESS

The SPEAKER. If there is no objection the Chair declares a recess for thirty minutes or until 4:30 p. m. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

SENATE MESSAGES

AMENDED SENATE BILLS CONSURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 69.

An Act to amend Article IV, Sections four hundred eight, four hundred nine, four hundred ten, four hundred eleven, four hundred twelve, and four hundred nineteen, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," to correct an error in the provisions concerning the size of mesh to be used by propagating permittees; changing the method of tagging propagated game or eggs; providing penalties for failure to maintain proper records of propagation transactions, and submission of annual reports of special permittees; and adding bobwhite quail to list of birds authorized to be killed on Regulated Shooting Grounds.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill Numbered and entitled as follows:

SENATE BILL No. 209.

An Act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns, and townships for preparing plans for sewage disposal systems and for the construction, improvement, or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 69.

An Act to amend Article IV Sections four hundred eight four hundred nine four hundred ten four hundred eleven four hundred twelve and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" to correct an error in the provisions concerning the size of mesh to be used by propagating permittees changing the method of tagging propagated game or eggs

providing penalties for failure to maintain proper records of propagation transactions and submission of annual reports of special permittees and adding bobwhite quail to list of birds authorized to be killed on Regulated Shooting Grounds.

SENATE BILL No. 209.

An Act to provide for and regulate the accumulation investment and expenditure of funds by cities boroughs incorporated towns, and townships for preparing plans for sewage disposal systems and for the construction, improvement, or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 178.

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring school districts of the first class to levy additional taxes to pay rentals to authorities created by the General Assembly having statewide jurisdiction authorizing school districts of other classes to levy additional taxes to pay rentals to the State Public School Building Authority authorizing boards of school directors to make additional appropriations or to increase existing appropriations pay over money raised from bond issues to meet leases or contracts to lease from the State School Building Authority authorizing school districts to enter into contracts of insurance of leased property authorizing school districts singly or jointly with other districts to convey or lease property and to appropriate money including proceeds of general obligation bonds to the State Public School Building Authority and to acquire additional property for such purposes and to contract with and lease property from said Authority requiring withholding of State appropriations for nonpayment of rental and authorizing payment to the Authority and authorizing payment of school districts for operation and maintenance of leased buildings furnishings and equipment.

Referred to the Committe on Education.

SENATE BILL No. 225.

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by requiring boroughs to establish police pension funds in certain cases and permitting private police pension funds in boroughs to elect to transfer their funds to borough police pension funds.

Referred to the Committee on Boroughs.

SENATE BILL No. 340.

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 352.

An Act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 390.

An Act to amend sections one thousand twenty-three and one thousand twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing time of notice of conventions of school directors and requiring notice of candidacy for office of county superintendent.

Referred to the Committee on Education.

SENATE BILL No. 391.

An Act reappropriating the unexpended balance appropriated by section two of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 953), entitled "An act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled 'An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation,' continuing such commission; changing its purpose; and making an appropriation."

Referred to the Committee on Appropriations.

SENATE BILL No. 445.

An Act to add section seven hundred nine to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts singly or jointly with other school districts to convey property to municipality authorities to make appropriations to such authorities and to contract with and lease property from such authorities.

Referred to the Committee on Education.

SENATE BILL No. 458.

An Act to amend section one thousand three hundred four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admissions of beginners.

Referred to the Committee on Education.

SENATE BILL No. 560.

An Act to amend section six hundred eighty-seven of the act approved the tenth day of March one thousand nine hnudred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the adoption and alteration of budgets in districts of the second third and fourth class.

Referred to the Committee on Education.

SENATE BILL No. 623.

An Act to amend the title and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled "An act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by transferring the administrative duties to the State Board of Private Academic Schools changing definitions bringing eleemosynary institutions withhin the provisions of this act eliminating the advisory committee regulating the advertising and soliciting for students and restricting agents in connection therewith requiring agreement of schools to file surety bond when requested and providing for a separate nontransferable license for each school.

Referred to the Committee on Education.

SENATE BILL No. 631.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto ad giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws" by providing for the refund of taxes of any kind or character.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 634.

An Act to amend rule forty of article twelve of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by eliminating the need for the presence of a footman and headman at certain slopes and shafts.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 653.

An Act to amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled "An act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to certain cities.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 658.

An Act to amend subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the compensation of auditors in districts of the third and of fourth class.

Referred to the Committee on Education.

SENATE BILL No. 665.

An Act authorizing and directing the Department of Property and Supplies to convey to the Board of Trustees of the University of Pittsburgh a certain plot of ground and the building thereon located adjacent to the campus of the University of Pittsburgh for the purpose of providing additional land required by the Medical Center of the University, which will include a Graduate School of Public Health.

Referred to the Committee on State Government.

SENATE BILL No. 667.

An Act to amend section four hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by deleting the provisions which limit the number of wards in such cities.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 687.

An Act authorizing minors to make deposits of money in banking institutions, to enter into contracts with respect thereto, and prohibiting the attachment of or interference with such deposits by any parent or guardian of such minor.

Referred to the Committee on Judiciary.

SENATE BILL No. 708.

An Act to amend sections one and two of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 137) entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township" extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 753.

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" by further regulating the terms of the members of said commission

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10, by inserting after the word "discharge" the following words "of their duties".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Royer,
Bane,	George,	McCormack,	Sarraf,
Barkdoll,	Gibson,	McCullough,	Sax,
Baumunk,	Glembocki,	McGee,	Scanlon,
Beaver,	Good,	McKinney,	Schmidt,
Bednarek,	Goodling,	McMillen,	Schuster,
Blair,	Graybill,	McNally,	Scott,
Bloom,	Green,	Mihm,	Seyler,
Boles,	Greenwood,	Mikula,	Shoemaker,
Bomberger,	Greer,	Miller,	Smith, C. C.,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Stank,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stimmel,
Brown, W. E.,	Haudenshield,	Munley,	Stuart,
Brunner,	Heatherington,	Murray,	Swope,
Bucchin,	Helm,	Musto,	Tahl,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Thompson,
Clendening,	Hewitt,	Needham,	Tompkins,
Cochran,	Hocker,	Neff,	Toomey,
Cole,	Hoffman,	Nixon,	Varallo,
Coleman,	Hoggard,	O'Dare,	Varner,
Conway,	Hunter,	O'Donnell,	Verona,
Cooper,	Jenkins,	Olsen,	Wachhaus,
Costa,	Jennings,	Orban,	Wagner,
Dalrymple,	Jim,	Penglase,	Wargo,
DeLong,	Johnson,	Pentrack,	Waterhouse,
Dennison,	Jones, G. E.,	Peta,	Watkins,
Depuy,	Jones, J. M.,	Petrosky,	Weidner,
Dougherty,	Jump,	Pettigrew,	Weiss,
Driscoll,	Kamyk,	Pfaff,	Welsh,
Duffy,	Keller,	Polen,	Wescott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leisey,	Riley, R. L.,	Sorg, Speaker
Fox,	Leonard,	Robbins,	
Frank,	Limper,	Robertson,	

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 907.

An Act repealing certain acts and parts of acts relating to counties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out all of lines 3, 4, 5, and 6.

Amend Section 1, page 2, line 7 by striking out "(3)" and inserting in lieu thereof "(2)".

Amend Section 1, page 2, line 11 by striking out "(4)" and inserting in lieu thereof "(3)".

Amend Section 1, page 2, line 15 by striking out "(5)" and inserting in lieu thereof "(4)".

Amend Section 1, page 3, line 1 by striking out "(6)" and inserting in lieu thereof "(5)".

Amend Section 1, page 3, line 6 by striking out "(7)" and inserting in lieu thereof "(6)".

Amend Section 1, page 3, line 10 by striking out "(8)" and inserting in lieu thereof "(7)".

Amend Section 1, page 3, line 14 by striking out "(9)" and inserting in lieu thereof "(8)".

Amend Section 1, page 3, line 19 by striking out "(10)" and inserting in lieu thereof "(9)".

Amend Section 1, page 4, line 5 by striking out "(11)" and inserting in lieu thereof "(10)".

Amend Section 1, page 4, line 11 by striking out "(12)" and inserting in lieu thereof "(11)".

Amend Section 1, page 5, line 1 by striking out "(13)" and inserting in lieu thereof "(12)".

Amend Section 1, page 5, line 5 by striking out "(14)" and inserting in lieu thereof "(13)".

Amend Section 1, page 5, line 13 by striking out "(15)" and inserting in lieu thereof "(14)".

Amend Section 1, page 6, line 4 by striking out "(16)" and inserting in lieu thereof "15)".

Amend Section 1, page 5, line 8 by striking out "(17)" and inserting in lieu thereof "(16)".

On the question,

Will the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Limper,	Robertson,
Amarando,	Gaffney,	Loftus,	Rose,
Andrews,	Gallagher,	Lovett,	Rosen,
Bane,	George,	Madigan,	Royer,
Barkdoll,	Gibson,	McCormack,	Sarraf,
Baumunk,	Glembocki,	McCullough,	Sax,
Beaver,	Good,	McGee,	Scanlon,
Bednarek,	Goodling,	McKinney,	Schmidt,
Blair,	Graybill,	McMillen,	Schuster,
Bloom,	Green,	McNally,	Scott,
Boles,	Greenwood,	Mihm,	Seyler,
Bomberger,	Greer,	Mikula,	Shoemaker,
Boorse,	Guarnieri,	Miller,	Smith, C. C.,
Bower,	Guthrie,	Milliken,	Smith, W. B.,

Brandon,	Hagerty,	Mills,	Snider,
Breisch,	Hall,	Mintess,	Sollenberger,
Breth,	Hamilton,	Monroe,	Spencer,
Brice,	Harney,	Moore, C. E.,	Stank,
Brown, H. S.,	Harris,	Moore, H A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stimmel,
Brunner,	Heatherington,	Munley,	Stuart,
Bucchin,	Helm,	Murray,	Swope,
Cadwalader,	Herman,	Musto,	Tahl,
Clapper,	Hersch,	Nagel,	Taylor,
Clendening,	Hewitt,	Najaka,	Thompson,
Cochran,	Hocker,	Needham,	Tompkins,
Cole,	Hoffman,	Neff,	Toomey,
Coleman,	Hoggard,	Nixon,	Varallo,
Conway,	Hunter,	O'Dare,	Varner,
Cooper,	Jenkins,	O'Donnell,	Verona,
Costa,	Jennings,	Olsen,	Wachhaus,
Dalrymple,	Jim,	Orban,	Wagner,
DeLong,	Johnson,	Penglase,	Wargo,
Dennison,	Jones, G. E.,	Pentrack,	Waterhouse,
Depuy,	Jones, J. M.,	Peta,	Watkins,
Dougherty,	Jump,	Petrosky,	Weidner,
Driscoll,	Kamyk,	Pettigrew,	Weiss,
Duffy,	Keller,	Pfaff,	Welsh,
Dye,	Kemp,	Polen,	Wescott,
Elder,	Kent,	Posta,	Westrick,
Erb,	Kirley,	Powers,	Wheeler,
Evans,	Kline,	Price, H. W., Jr.,	Williams,
Ewing,	Kohl,	Price, R. A.,	Wood,
Felton,	Kolankiewicz,	Propert,	Worley,
Ferster,	Kondrath,	Readinger,	Yaffe,
Filo,	Kratz,	Reagan,	Yeakel,
Firmstone,	Kurtz,	Reese,	Yester,
Flack,	Lederer,	Reidenbach,	Yetzer,
Fleming,	Lee,	Reilly, J. M.,	Young,
Floyd,	Leonard,	Reynolds,	Ziegler,
Fox,	Leisey,	Riley, R. L.,	Sorg,
Frank		Robbins,	Speaker

NAYS—0

NOT VOTING—2

Krise, Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, not every Member of this House has a personal biographer; especially not every Member has a personal biographer who says how he became a Member of the House.

I have often wondered why, and I have often wondered how a lot of legislators did actually become Members of the House. The gentleman from Allegheny, Mr. Olsen is much more fortunate. Little Patricia Dunn at her school recently told the story of how Mr. Olsen got into the state Legislature. I think it is a pretty good way to get into the Legislature, as Patricia tells it. With the permission of the House I will read what Patricia said. She said:

"Mr. Olsen is a man that lives in my community. He owns a grocery store at the corner of Broadway and Coast. Today I am going to tell you about him. Mr. Olsen was born in Norway and there he grew up. When at the age of 13 he entered America where he began to work. Gradually he worked his way up. He began to meet people and soon he found himself interested in politics of our country. Finally Mr. Olsen moved to our community where all over again he had to meet the people of this little town. Here he bought himself a little grocery store. People began to grow fond of him. They found out that he had a serious side and also a funny side to him.

"In 1940 Mr. Olsen ran for State Legislature and won. This made him very happy. Mr. Olsen then began to serve his state in Harrisburg to the best of his ability. He tried to pass the laws that he thought would suit his country. Here he served his two years in helping make our country's laws. After his two years were finished Mr. Olsen then ran again but was defeated so for the next four years he worked hard in his little store. But Mr. Olsen was determined that he was going to get back into State Legislature. So when this election came up Mr. Olsen was there fighting just as usual and he got on the ballot. Then his work did begin. He had to attend clubs, banquets, etc. Now Mr. Olsen is working again to the best of his ability to help try to keep our country straight. God bless him and keep and guide him."

I think we all, all of us, in humility can say the same thing on his behalf, on all our behalf. On behalf of each one of us, God bless us, every one, including Mr. Olsen.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olsen.

Mr. OLSEN. I don't know what to say; there has been too much said already, I am afraid. Mr. Reynolds asks me to say a few words in Norwegian, but he does not understand Norwegian and would not understand me.

The SPEAKER. The Chair congratulates the gentleman from Allegheny for the admiration of this little girl.

Mr. OLSEN. I thank you very much, Mr. Speaker.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. BRICE asked and obtained permission for the Committee on Township to meet during the session of the House.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to advise the lady from Lacakawanna, Mrs. Munley, that if she desires information as to the whereabouts of her registration plates the Chief Clerk has information that will be of interest to her.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 527.

An Act to further amend subsection (a) of section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative

officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing salaries of the chairman and members of the Pennsylvania Public Utility Commission.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 526.

An Act to amend subsection (c) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," increasing the salaries of the chairman and other commissioners.

SENATE BILL No. 527.

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of the chairman and members of The Pennsylvania Public Utility Commission

Whereupon,

The SPEAKER in the presence of the House signed the same.

RESOLUTION

RECALLING HOUSE BILL NO. 526 FROM GOVERNOR

Mr. SCHMIDT offered a resolution which was read and considered as follows:

In the House of Representatives, March 30, 1949.

Resolved, (if the Senate concur), That Senate Bill No. 526, Printer's No. 147, entitled "An act to amend subsection (c) of section one of the act approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled 'An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania; terminating the terms of the members thereof; and transferring to the Pennsylvania Public Utility Commission, the records, employes, property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania,' increasing the salaries of the chairman and other commissioners" be recalled from the Governor for the purpose of amendment.

On the question,

Will the House adopt the resolution?

Mr. SCHMIDT. Mr. Speaker, for the information of the House, this resolution is an endeavor on my part to have this House recall from the Governor, Senate Bill 526 which this House yesterday passed.

For the information of the House it was a bill that increased the salaries of the members of the Public Utility Commission from the present salary of ten thousand dollars to the newly enacted salary of fourteen thousand dollars, and increasing the compensation of the Chairman of the Public Utility Commission to fifteen thousand dollars. This bill and its companion bill numbered 527 are now presumably in the possession of the Governor.

I feel now as I felt yesterday, and I have been fortified in my feeling that the Members of this House feel that the amount granted, the increase, was out of line and not in line with the salaries being paid to the members of the Cabinet of the Governor, who now receive twelve thousand dollars a year, to members of the Liquor Control Board who receive but ten thousand dollars a year, and various other board members who receive not in excess of ten thousand dollars a year.

Mr. Speaker, there are a lot of people, including myself who feel that there should have been some increase in salary but not to the extent of forty per cent. I have therefor filed this resolution asking the recall of these bills so that they may be amended more in line with a percentage of increase that will be commensurate with the advance in the cost of living.

This is not a party issue. I am talking to you as a representative of both the Republicans and the Democrats in my district. You sit here voting as representatives of both parties, and let me tell you that there are think-

ing people in both of the major parties, and when this information gets back to them that we as a body saw fit to increase to a higher bracket salary to the extent of forty per cent, I do not think that they are going to like it. So, I appeal to you, each and every one of you, to reconsider the action which you took yesterday and join me in asking for the recall of these two bills, Senate Bills 526 and 527, and along that line I ask for a roll call.

Mr. BRUNNER. Mr. Speaker, I had not anticipated that to support the gentleman's motion there would be a protractive debate, due to the fact that these amendments were considered late yesterday afternoon, and it is not too early at the present time.

For the reasons which I stated yesterday I hope that those reasons merit the support of the membership, and accordingly I request that they vote this motion down.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. Schmidt and Reynolds and were as follows:

YEAS—53

Amarando,	Hagerty,	McGee,	Reynolds,
Brandon,	Hamilton,	McNally,	Rosen,
Bucchin,	Harris,	Monroe,	Schmidt,
Cole,	Hoggard,	Moran,	Seyler,
Conway,	Hunter,	Nagel,	Smith, W. B.,
Dougherty,	Jenkins,	Olsen,	Sternberg,
Duffy,	Jim,	Penglase,	Taylor,
Erb,	Jones, J. M.,	Pentrack,	Varallo,
Evans,	Kamyk,	Peta,	Wargo,
Filo,	Kolankiewicz,	Pettigrew,	Weiss,
Floyd,	Leonard,	Pfaff,	Welsh,
Gaffney,	Limper,	Posta,	Westrick,
Good,	Lovett,	Readinger,	Worley,
Guarnieri,			

NAYS—126

Altshuler,	Flack,	Kratz,	Sarraf,
Andrews,	Fleming,	Kurtz,	Sax,
Bane,	Fox,	Lederer,	Scott,
Barkdoll,	Frank,	Leisey,	Shoemaker,
Baumunk,	Frost,	Loftus,	Smith, C. C.,
Bednarek,	Gallagher,	Madigan,	Snider,
Blair,	George,	McCormack,	Sollenberger,
Bloom,	Gibson,	McCullough,	Spencer,
Bomberger,	Goodling,	McKinney,	Stimmel,
Boorse,	Graybill,	McMillen,	Stuart,
Bower,	Green,	Mikula,	Swope,
Breisch,	Greenwood,	Miller,	Tahl,
Brice,	Greer,	Milliken,	Thompson,
Brown, W. E.,	Guthrie,	Mintess,	Tompkins,
Brunner,	Hall,	Moore, C. E.,	Toomey,
Cadwalader,	Harney,	Moore, H. A.,	Varner,
Clapper,	Haudenshield,	Munley,	Verona,
Clendening,	Heatherington,	Murray,	Wachhaus,
Cochran,	Helm,	Najaka,	Wagner,
Coleman,	Herman,	Neff,	Waterhouse,
Cooper,	Hewitt,	Nixon,	Watkins,
Costa,	Hocker,	O'Donnell,	Weidner,
DeLong,	Hoffman,	Orban,	Wescott,
Dennison,	Jennings,	Powers,	Wheeler,
Depuy,	Johnson,	Price, H. W., Jr.,	Wood,
Driscoll,	Jump,	Propert,	Yaffe,
Dye,	Keller,	Reagan,	Yeakel,
Elder,	Kemp,	Reilly, J. M.,	Young,
Ewing,	Kent,	Riley, R. L.,	Ziegler,
Felton,	Kirley,	Robbins,	Sorg,
Ferster,	Kline,	Robertson,	Speaker
Firmstone,	Kohl,	Royer,	

NOT VOTING—29

Beaver,	Kondrath,	O'Dare,	Rovansek,
Boies,	Krise,	Petrosky,	Scanlon,
Breth,	Lee,	Polen,	Schuster,
Brown, H. S.,	Mihm,	Price, R. A.,	Stank,
Dalrymple,	Mills,	Reese,	Williams,
Glembocki,	Musto,	Reidenbach,	Yester,
Hersch,	Needham,	Rose,	Yetzer,
Jones, G. E.,			

So the question was determined in the negative and the resolution was not adopted.

The SPEAKER. Does the gentleman withdraw his resolution as to the other bill?

Mr. SCHMIDT. Mr. Speaker, you can consider the vote on this one as a vote on the second one—either way.

I will withdraw the resolution as to Senate Bill 527.

The SPEAKER. The gentleman withdraws his resolution to recall Senate Bill 527, Printer's No. 219, which is a companion bill to Senate Bill 526. The Chair thanks the gentleman from Allegheny, Mr. Schmidt.

RESOLUTION

CONGRATULATIONS

Messrs. SEYLER and WILLIAM B. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, March 30, 1949.

Whereas, The basketball team of the Aliquippa High School under the expert tutelage of Sammy Manolovich has won the Class A. Championship of Western Pennsylvania; and

Whereas, The basketball team of the York High School, under the expert tutelage of Don Cockley has won the Class A Championship of Eastern Pennsylvania; and

Whereas, These teams will meet at Philadelphia on Saturday, April 2, to play for the Class A Championship of Pennsylvania; therefore be it

Resolved, That the members of the House of Representatives extend to these schools, their teams and their coaches, hearty congratulations on their success in attaining the opportunity to compete for the championship; and be it further

Resolved, That we express the sportsmanlike wish "May the best team win"; and be it further

Resolved, That the Chief Clerk of the House of Representatives is directed to transmit a copy of this resolution to the coach of each of these outstanding teams.

HARRY E. SEYLER
WM. B. SMITH

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, it is my understanding that at the present time the majority leadership is contemplating a five day legislative week. This would involve a matter of policy. I understand that before the five day week becomes established as a policy opportunity will be given for the House to decide one way or the other as to whether they desire to launch themselves upon a five day week. Is that correct, Mr. Majority Leader?

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BRUNNER. Mr. Speaker, may I reply to the gentleman and say that I have been authorized by the Republican caucus of the House to request a five day week beginning Monday; that, of course, before the question is decided as a House policy we will be willing to have the matter considered here on the floor of this House.

Mr. ANDREWS. Mr. Speaker, I thank the Majority Leader, and I will add for the information of the Majority Leader that we believe the time has come for a definite statement as to the legislation that the majority has in mind.

What is the majority's policy with reference to legislation for Philadelphia, for Philadelphia City or Philadelphia schools?

What is the majority party's policy, what are they going to bring forth with reference to Allegheny County?

What is the majority party's policy with reference to our hard-pressed medical institutions, our medical colleges, the desperate need for appropriations over and above the appropriations scheduled in the Governor's budget?

What is the financial status of our situation? Is there any legislative discretion? Is it possible for this House to find the money with which to finance the medical colleges of Pittsburgh that need the money if they are to train nurses, if they are to train attendants in psychiatric work, if they are to train doctors?

Is it possible for this House to find the money to give to the Philadelphia medical schools; money that they must have if they are to modernize their curriculum, if they are to train doctors, train nurses and train psychiatrists?

What is the policy, and are we going to have a policy with reference to the schools; legislation with reference to education, and a number of things which would enable the House to determine the necessity for a five day week?

We want to have these matters outlined in order that the communities which shall be affected by action or inaction may be on notice either that their requests have been definitely sidetracked, that we are proceeding to an adjournment without meeting those requests or that we propose here in this House to enact a legislative program that will meet their requests, and when that is done, we can determine the necessity for a five day week, and we can determine how long we shall remain in this Hall.

Mr. BRUNNER. Mr. Speaker, I can add to the list enumerated by the Minority Leader other important subjects in addition to those he has named, which have long been considered and are being considered by the Committees of this House and of the Senate. They are being given very serious thought and there is being evolved a final, and I hope adequate answer to all these questions. I do not think that the main issue necessarily depends on whether we have a five day week or a four day week. We will debate that question on Monday.

However, the gentleman may rest assured that the Committees are hard at work in an effort to get an early solution to what has been presented by this administration, and so far as the work which it has done so far is concerned, I think the gentleman will agree that a great part of the administration program has progressed through this House long since.

Other matters remain to be considered by the Senate but I think that with the proper application the entire administration program, which we believe to be in the best interests of all the people of the state, will be enacted by the time of final adjournment, and we trust that final adjournment will be not too far away.

REPORTS FROM COMMITTEES

Mr. McKINNEY from the Committee on State Government, reported as amended, House Bill No. 254, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth.

Mr. TAHL from the Committee on State Government, reported as amended, House Bill No. 1061, entitled:

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory or correctional institution, hospitals for the insane, or any institution for the feeble minded or epileptic persons, for inebriates or for juvenile delinquent and dependents, maintained in whole or in part by the Commonwealth or any county within the Commonwealth, who are injured in the performance of their duty in certain cases; and providing that absence during such injury shall not reduce any usual sick leave period, and also providing for recourse to pension privileges in the event of permanent disability.

RESOLUTION

CONDOLENCE

Messrs. STUART and FLEMING offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 30, 1949.

Charles Preston Howe, founder and publisher of the Tarentum Valley Daily News has passed away.

One of the most widely known and respected newspaper publishers in Pennsylvania, Mr. Howe founded The Valley Daily News forty-five years ago, and during these years has always taken a leading part in every form of community betterment and civic activity.

Born February 27, 1883, Mr. Howe was a son of the late William Preston and Jane Kennedy Howe, and great grandson of Daniel Howe, a Revolutionary War soldier, Indian scout, and pioneer settler in Western Pennsylvania.

Mr. Howe entered Allegheny College, Meadville, with the intention of taking up law. While in school he worked on a Meadville newspaper. Becoming interested in the profession of journalism, he reached the conclusion there was need in the Tarentum community for a daily newspaper. At the close of his Junior year he left college to establish The News. The first edition was published on June 27, 1904.

Mr. Howe has always been extremely active in church life and religious activities. He served for many years as a member of the official board of the Methodist church, and for more than thirty years was teacher of the Pentagon Men's Class.

He held many places of responsibility in the Pittsburgh Methodist Conference. At the time of his death he was chairman of the Finance Commission. He has been a delegate to two General Conferences one in 1924, and the other in 1940, which was the uniting conference of The Methodist Church.

He early associated himself with Allegheny Valley Y. M. C. A. serving on its board of directors for nearly forty years.

He was one of the organizers of the Tarentum Kiwanis Club and served as its president in 1931. He was one of the original members of Eureka Hose Company.

Mr. Howe has been for years a member of the board of the Pittsburgh and Tarentum Camp Meeting Association and maintained a cottage there. He was proud of the fact that he attended sixty-five of its ninety-nine sessions, being taken to the grounds by his parents when he was an infant.

By appointment of Governor James H. Duff, and previously by former Governor Edward Martin, Mr. Howe has been a member of the board of trustees of Woodville State Hospital, since its reorganization. He deeply enjoyed this activity.

Mr. Howe has been for years former president of Allegheny Valley Business Association, Allegheny County Planning Commission and Allegheny Regional Conference.

He assisted in the organization of Tarentum Salvation Army Corps more than a quarter of a century ago and served on its advisory board throughout the years.

He was one of the organizers of Allegheny Valley Hospital and served as its first treasurer.

Of all the achievements of The News, Mr. Howe was proudest of the part it played in the establishment of the Tarentum municipal water plant. It was built in 1914 after long years of striving by the newspaper to obtain a better and purer supply of water for the community.

Since early manhood he had been a member of Pollock Lodge No. 502 F and A. M., Gorgas Lodge of Perfection and Syria Shrine. He was also a member of Phi Delta Theta national social fraternity.

He was married on August 15, 1917 to the former Mildred Powell of Cabot, then a teacher in the Tarentum schools. They had four children. A son, David, died in 1934 at the age of twelve. Surviving are three daughters: Miss Mary Jane Howe, who is assistant program director at College Settlement, Philadelphia; Mrs. Elizabeth Simon of 343 East Eleventh Avenue, and Mrs. Sally Lineweaver of Chapel Hill, North Carolina.

Because Mr. Howe was a man who loved and served his community and was in turn beloved to it, therefore be it

Resolved, That the members of the House of Representatives extend our deepest sympathy to his family, his community and his friends, and though we grieve for them in their great loss we rejoice in the gain of that community to which we all aspire, and we feel sure that it is a richer place because he is there, and be it further

Resolved, That a copy of this resolution be sent to his family.

COMMITTEE MEETINGS

Counties, Room 323, Thursday, March 31, at 10:30 a. m.

Highways, Room 329, Thursday, March 31, at 10:00 a. m.

Democratic Caucus immediately upon calling of 45 minute recess.

Republicon Caucus immediately upon calling of 45 minute recess.

ADJOURNMENT

Mr. OLSEN. Mr. Speaker, I move that this House do now adjourn until Thursday, March 31, 1949, at 11:00 a. m.

The motion was agreed to, and (at 5:44 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., THURSDAY, MARCH 31, 1949. No. 38.

SENATE

THURSDAY, MARCH 31, 1949

The Senate met at 12:00 o'clock, M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. JOHN F. KNITTLE, offered the following prayer:

Almighty God, Who hast given us a land wherein we are free to read and hear Thy word, to confess Thy name, and to labor together for the extension of Thy Kingdom, grant, we beseech Thee, that the liberty given unto us may be continued in our posterity, and that the power of the Gospel may abound to the blessing of all the nations of the earth, and to Thine eternal glory, in the Name of our Blessed Father.

We praise and thank Thee for all those who have gone before us and for what they have bequeathed to us, and for what we have inherited. Grant that we may pass on to those who follow us as rich a heritage as we have received.

We thank Thee for good and sincere men, chosen by their fellowmen to guide the destinies of our Nation and State, and who did not forget their obligation to Thee as their Ruler nor their dependence on Thee as the source of their wisdom and their aid in doing the right.

And now, Most Gracious Father, we pray that it may please Thee to send forth Thy Holy Spirit in the fullness of His gifts to bless these Thy servants with wisdom to perceive the ways of Thy Holy Will, and to guide them unfailingly in the path of Thy will, so that when the Session shall come to its close, and looking back over the work they have accomplished, may all honor and praise be due Thy Name, in the Name of the Triune God, Father, Son and Holy Spirit. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. LETZLER, further reading was dispensed with, and the Journal was approved.

THANKS OF SENATE EXTENDED TO RETIRING CHAPLAIN

The PRESIDENT. At this time the Chair, on behalf of the Senate, would like to thank The Reverend John F. Knittle, of Manheim, for the very faithful and splendid services he rendered as the Senate Chaplain for the past several weeks.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL NO. 526, PRINTER'S NO. 147

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 526, Printer's No. 147, entitled "An Act to amend subsection (c) of section one of the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 160) entitled 'An act creating a commission to be known as the Pennsylvania Public Utility Commission defining in part the powers and duties of such commission abolishing The Public Service Commission of the Commonwealth of Pennsylvania terminating the terms of the members thereof and transferring to the Pennsylvania Public Utility Commission the records employes property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings legal or otherwise instituted before by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience contracts orders and rules and regulations of the latter commission shall remain effective until repealed changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania' increasing the salaries of the chairman and other commissioners."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL NO. 527, PRINTER'S NO. 219

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 527, Printer's No. 219, entitled "An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine

(P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administration officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by increasing the salaries of the chairman and members of the Pennsylvania Public Utility Commission."

JAMES H. DUFF

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nomination.

ALDERMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. W. Fahnestock, 102 Balm Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the Eighth Ward of the City of Harrisburg, Dauphin County, until the first Monday of January, 1950, vice George K. Richards, deceased.

JAMES H. DUFF.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Pennhurst State School, for terms of four years, and until their successors are qualified:

Guy W. Knauer, 343 Price Street, West Chester, Chester County. (Reappointment)

I. DeVault Chrisman, R. D. 2, Elverson, Chester County. (Reappointment)

Claude B. Wagoner, Cedar and Chestnut Street, Spring City, Chester County. (Reappointment)

Ralph W. Ralston, 21 South Main Street, Pottstown, Chester County. (Reappointment)

Mrs. Margaret W. Latshaw, Arch Street, Spring City, Chester County. (Reappointment)

Frank W. Shalkop, Trappe, Collegeville P. O., Montgomery County (Reappointment)

Mrs. Robina Ewing, 100 Dartmouth Avenue, Swarthmore, Delaware County, vice Mrs. Hazel B. Trimble, Wayne, resigned.

JAMES H. DUFF.

MEMBERS OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Philadelphia County Board of Assistance:

Charles Amodei (Democrat), 6521 North 11th Street, Philadelphia, Philadelphia County, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Adolph Woll, Jr., Philadelphia, resigned.

J. H. Whitebook (Republican), 6433 North Broad Street, Philadelphia, Philadelphia County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Mrs. Claire Sylk, Philadelphia, resigned.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George F. Case, Troy, Bradford County, for reappointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 31, 1949.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of fours years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Theodore R. Anderson, Jr., Pittsburgh, 2120-2d Ave. (19).

Mrs. Elizabeth T. Garner, Collier Twp., Bridgeville.

Herbert Groskin, Cheswick.

Phillip Hillen, Heidelberg.

John H. Spinnenweber, South Fayette Twp., Bridgeville.

Mrs. Margaret A. Walter, Oakmont.

Mrs. Letah M. Weaver, Stowe Twp., McKees Rocks.

ARMSTRONG COUNTY

Miss Rilla Dawson, Kittanning.

BEAVER COUNTY

Mrs. Jean F. Dowdell, New Brighton.
Miss Jean Wallace, Beaver.

BERKS COUNTY

Miss Virginia A. Haas, Reading.
Mrs. Marie E. Rose, Reading.

CARBON COUNTY

Miss Margaret E. Petrole, Lehighton.

DAUPHIN COUNTY

Miss Elizabeth Clark, Harrisburg.

DELAWARE COUNTY

Francis J. Murphy, Collingdale.

FRANKLIN COUNTY

George W. Kolb, Waynesboro.

LACKAWANNA COUNTY

Carl W. Kuehner, Scranton.

LEHIGH COUNTY

Alfred Hanna, Allentown.
Mrs. Norma McCarty, Allentown.
Robert P. Stewart, Allentown.
Mrs. Marianne R. Sydorak, Allentown.

McKEAN COUNTY

A. W. Eisenman, Bradford.

NORTHAMPTON COUNTY

Mrs. Jean Breznyak, Easton.

PHILADELPHIA COUNTY

Mrs. Bernice O. Barnett, Phila., 1829 Ginnodo St. (30).
Afred R. Beckley, Phila., 5301 Large St.
Wallace W. Daczkowski, Phila., 4447 E. Thompson St.
Miss Louise De Marco, Phila., Roosevelt Bank, 21st & Wharton Sts.
Miss Madeline Haubold, Phila., 1522 Cherry St.
Chas. A. Hild, Phila., 5043 Frankford Ave.
Miss Katheryn H. Kerner, Phila., 709 Chestnut St. (6).
Ralph Maugel, Phila., 1227 N. Broad St. (22).
Miss Frances J. Montcavish, Phila., 310 Colonial Bldg.
Mrs. Charlotte M. Nelson, Phila., 45 Maplewood Ave.
Marvin H. New, Phila., 1510 Walnut St.
William W. Pratt, Phila., 1522 Cherry St. (2).
John D. Stewart, Phila., 1322 W. Airdrie St.
Miss Eugenie M. Williams, Phila., 1712 Morris Bldg. (2).

UNION COUNTY

John F. Shaffer, Lewisburg.

WASHINGTON COUNTY

Mrs. Alexandria T. Elias, Washington.
Miss Mary Seminock, East Bethlehem Twp., Fredericktown.

WESTMORELAND COUNTY

Mrs. Dorothy N. Gillangham, Greensburg.
Mrs. Marietta Walt, Madison.

YORK COUNTY

Mrs. Ruth B. Kisiner, York.

To compute from dates set opposite their names

PHILADELPHIA COUNTY

Corrado J. DeSantis, Phila., 1700 S. 16th St., 4-3-49.

CAMBRIA COUNTY

Amaniah L. Powell, Johnstown, 4-5-49.

DELAWARE COUNTY

Miss Kathryn M. Kelly, Chester, 4-5-49.

MONTGOMERY COUNTY

Robert B. Brunner, Norristown, 4-5-49.

McKEAN COUNTY

Miss Alice M. Dolan, Kane, 4-9-49.

ALLEGHENY COUNTY

Miss L. G. Eickenberg, Crafton, 4-10-49.

PHILADELPHIA COUNTY

Thomas F. Rafferty, Phila., 2338 W. Huntingdon St., 4-11-49.

WASHINGTON COUNTY

Mrs. Alma Wagner, Cecil Twp., Cecil, 4-11-49.

CAMBRIA COUNTY

Robert J. Wharton, Johnstown, 4-12-49.

LACKAWANNA COUNTY

Wendell P. Evans, Scranton, 4-14-49.

JAMES H. DUFF.

A motion was made by Mr. WALKER and Mr. WOLFE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 153, entitled:

An Act to further amend section twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

Which was committed to the Committee on State Government.

House Bill No. 394, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," as heretofore amended and reenacted, by changing the fiscal year and the dates for meetings, budgets, taxation, audits, and reports, changing the compensation of supervisors and auditors and the expense allowance of delegates, providing for appointment of non-resident persons as tax collectors and policemen, authorizing police pension annuities, empowering supervisors to acquire and operate airports, to establish police protection districts and assess the cost thereof, to widen, deepen and embank watercourses, to employ township managers and certified public accountants, changing the definition of volunteer firemen for workmen's compensation insurance purposes, the method of advertising for bids, the limitation on taxes for fire hydrant purposes, the requirements for street and road improvements, and the vote of supervisors required for zoning changes, and clarifying and revising certain provisions of said act.

Which was committed to the Committee on Local Government.

House Bill No. 528, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes' Retirement Law," by further defining "original member" in relation to members of General Assembly.

Which was committed to the Committee on State Government.

House Bill No. 535, entitled:

An Act defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing for the suspension and revocation of Cigarette Tax Permits; and providing remedies and penalties for violations.

Which was committed to the Committee on Judiciary General.

House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the total maximum length of certain vehicles.

Which was committed to the Committee on Highways.

House Bill No. 665, entitled:

An Act to further amend subsection (c) of section one thousand four hundred six and section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefor; and validating Commonwealth reimbursements heretofore made.

Which was committed to the Committee on Education.

House Bill No. 750, entitled:

An Act to further amend section three hundred one and to amend sections three hundred two, three hundred four and four hundred eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by changing the membership and organization of the Pennsylvania Game Commission, the Board of Fish Commissioners, the Pennsylvania Historical and Museum Commission, and the State Council of Education.

Which was committed to the Committee on State Government.

House Bill No. 879, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "Administrative Agency Law," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; extending the grounds for refusing to affirm adjudications of agencies; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

Which was committed to the Committee on Judiciary General.

House Bill No. 1031, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections, frozen sherbet confections, sherbet, ice, and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, including sherbet, frozen ice confections, frozen sherbet confections, frozen dairy confections, ice, and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing for licensing, conferring powers and imposing duties upon the Department of Agriculture, prescribing penalties; and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1075, entitled:

An Act to further amend subsection (2) of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further regulating the rights of contributors who have separated from and return to the employ of the Commonwealth.

Which was committed to the Committee on State Government.

House Bill No. 1262, entitled:

An Act to amend sections ten and eleven of the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled "1937 Magistrates Court Act," by permitting the central police court

to close each day; providing for the assignment of magistrates to divisional police courts, eliminating provisions requiring rotation of magistrates assigned to police stations.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 753

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 753, entitled:

An Act to amend section one of the act, apprived the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "Local Government Commission Law," by further regulating the terms of the members of said commission.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 907

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 907, entitled:

An Act repealing certain acts and parts of acts relating to counties.

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO SENATE BILL NO. 53.

He also informed the Senate that the House of Representatives has receded from its non-concurrence in the amendments made by the Senate to Senate Bill No. 53, entitled:

An Act to amend Article V Section five hundred six Article VII Section seven hundred thirty-one Article IX Clause (h) of Section nine hundred forty-three and Article X Section ten hundred four of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the penalty for the unlawful killing of bears.

and that the House has concurred in the amendments made by the Senate.

HOUSE CONCURS IN SENATE BILL No. 559

He also returned to the Senate, Senate Bill No. 559, entitled:

An Act to further amend section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the adoption and alteration of budgets

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills have passed both houses of the General Assembly and the same being correct the titles were publicly read as follows:

Senate Bill No. 14, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition. by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the acquisition of additional grounds.

Senate Bill No. 53, entitled:

An Act to amend Article V Section five hundred six article VII Section seven hundred thirty-one Article IX Clause (h) of Section nine hundred forty-three and Article X Section ten hundred four of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the penalty for the unlawful killing of bears.

Senate Bill No. 179, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled, "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," further defining State employe to include officers and employes of the State Public School Building Authority.

Senate Bill No. 338, entitled:

An Act authorizing the Department of Property and Supplies to convey a property in Somerset County, Pennsylvania.

Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or nonlicensed powered farm machinery for purposes relating to the actual production of farm products.

Senate Bill No. 559, entitled:

An Act to further amend section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the adoption and alteration of budgets.

House Bill No. 753, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "Local Government Commission Law," by further regulating the terms of the members of said commission.

House Bill No. 882, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes.

House Bill No. 907, entitled:

An Act repealing certain acts and parts of acts relating to counties.

House Bill No. 909, entitled:

An Act to amend section two of the act approved the seventeenth day of March, one thousand nine hundred thirty-three (P. L. 14), entitled "An act fixing the salary of sheriffs in counties of the seventh class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; providing for deputies and their compensation; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties," empowering salary board to fix the number of deputies and their salaries.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WOLFE, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. W. Fahnestock, 102 Balm Street, Harrisburg, Dauphin County, for appointment as Alderman in and for the Eighth Ward of the City of Harrisburg, Dauphin County, until the first Monday of January, 1950, vice George K. Richards, deceased.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATION UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. WALKER and Mr. SCARLETT,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WALKER and Mr. SCARLETT,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do now rise.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. WAGNER, from the Committee on Education reported as amended, Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred seventy-three point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

BILLS INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 829, entitled:

An Act to further amend clause (7) of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers

and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining the word "employe" to include other school service.

Which was committed to the Committee on Education.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

Which was committed to the Committee on Local Government.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 4, as follows:

An Act authorizing the Armory Board of the State of Pennsylvania with the approval of the Governor to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Armory Board of the State of Pennsylvania with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract or tracts of land located in the City and County of Philadelphia described as follows All that certain lot or piece of ground with the improvements thereon erected situate in the Twenty-fourth Ward of the City and County of Philadelphia and described according to a Survey and Plan thereof made by Joseph Johnson Surveyor and Regulator of the Eleventh District dated March 15 1895 as follows to wit Beginning at the point formed by the intersection of the Southerly side of Race Street (sixty feet wide) with the Westerly side of Thirty-third Street (sixty feet wide) thence extending Southwardly along the said side of Thirty-third Street One hundred forty-two feet to a point on the Northerly side of Cherry Street (thirty feet wide) One hundred forty-eight feet six and one-quarter inches thence extending Westwardly along the said side of Cherry Street One hundred sixty-five feet and three quarters of an inch to a point extending Northwardly on a line at right angles to said Cherry Street Fifty-four feet eleven and seven-eighths inches to a point thence extending Northwardly on a line at right angles to said Race Street Seventy feet ten and one-quarter inches to a point on the Southerly side of Race Street aforesaid thence extending Eastwardly along the said side of Race Street to the first mentioned point and place of beginning

Section 2 Said tract of land when purchased shall be added to the lands of the State Armory located at Thirty-third Street and Lancaster Avenue and shall be used in connection with the operation of said State Armory The deeds of conveyance shall be deposited with the Secretary of Internal Affairs Said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 3 The sum of Eight Thousand Dollars ($8,000) or a much thereof as may be necessary is hereby appropriated to the Department of Military Affairs for use of State Armory Board for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 5, on third reading, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 7, as follows:

An Act to amend section two of the act approved the seventh day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" is hereby amended to read as follows

Section 2 [Any person copartnership association or corporation violating any of the provisions of this act shall

be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars or in the case of individuals to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both] any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 8, as follows:

An Act to further amend section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" making first and second violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" as amended by the act approved the twenty-fifth day of May one thousand nine hundred twenty-one (P. L. 1116) is hereby further amended to read as follows

Section 5 (a) [Any person who shall violate any of the provisions of the act to which this act is an amendment or any amendment of said act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50) nor more than one hundred dollars ($100) Upon conviction for any subsequent violation of this act such person shall be punished by a fine of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) and by imprisonment in the county jail of not less than ninety days nor more than six months] Any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents o fthe corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

(b) For the purpose of this act any person against whom a charge is made under this act who admits his guilt by the payment of a fine before the committing magistrate or in court without indictment shall be deemed to have been convicted and such conviction and any other prior convictions in any court under an indictment may be shown by testimony in the case or before court when sentence is to be imposed without a second or other subsequent conviction having been pleaded in the information or the indictment

(c) The provisions of this act are severable and in the event of any provision hereof being declared unconstitutional it is hereby declared as the legislative intent that such unconstitutional provision shall not affect the other provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 9, as follows:

An Act to further amend section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed mlk and cream providing penalties for the violation thereof and providing for th enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" as amended by the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) is hereby further amended to read as follows

Section 3 [That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five (25) dollars nor more than fifty (50) dollars or imprisonment for not less than thirty (30) days nor more than ninety (90) days or either or both at the discretion of the court] any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

If a person accused of violating section one of this act shall furnish satisfactory affidavit that nothing has been added to or taken from the milk in question which is otherwise pure and wholesome and is not below three (3) per centum of butter fat the Dairy and Food Commissioner shall file said affidavit with the record and no prosecution shall be instituted against said person This provision shall not apply to or in any way affect samples of milk purchased or obtained prior to the approval of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 10, as follows:

An Act to amend section four of the act approved the third day of March one thousand nine hundred twenty-five (P. L. 10) entitled "An act relating to fruit syrups and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded fruit syrups and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the third day of March one thousand nine hundred twenty-five (P. L. 10) entitled "An act relating to fruit syrups and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded fruit syrups and providing penalties for the violation thereof and providing for the enforcement thereof" is hereby amended to read as follows

Section 4 [Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50) dollars nor more than one hundred ($100) dollars or to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both or either at the discretion of the court] any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 11, as follows:

An Act to amend section three of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 929) entitled "A supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-three entitled "An act for the prvention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof and providing penalties" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 929) entitled "A supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-thre entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof' defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof and providing penalties" is hereby amended to read as follows

Section 3 [Any] [any violation of the provisions of this act is hereby declared to be a misdemeanor and any firm or corporation or person whether individually or as a member of a firm or a responsible agent or officer of a corporation which or who shall be convicted of such violation shall for every such offense be subject to the penalties provided for in the act to which this is a supplement] Any person copartnership association or corporation violating the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association sall be sentenced to undergo imprisonment for not more than (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 12, as follows:

An Act to amend section four of the act approved the twenty-first day of March one thousand nine hundred wtenty-three (P. L. 28) entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of March one thousand nine hundred twenty-three (P. L. 28) entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or desiccated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" is hereby amended to read as follows

Section 4 [Any violation of the provisions of this act is hereby declared to be a misdemeanor and any person whether individually or as a member of a partnership or as a responsible agent or officer of an incorporate body who shall be convicted of such violation either on his own behalf or in the interest of a corporate body shall be sentenced to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or to pay a fine of not less than fifty ($50) dollars nor more than one hundred dollars ($100) or both] Any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 13, as follows:

An Act to amend section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commisioner in reference thereto and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" is hereby amended to read as follows

Section 3 [Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten ($10) dollars nor more than fifty ($50) dollars or upon default of payment of such fine to be imprisoned in the county jail for not more than ten days] any person copartnership association or corporation violating any of the provisions of this act or shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 14, as follows:

An Act to amend section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any substance or article possessing a preservative or coloring character or action making the same a misdemeanor and to prescribe penalties and punishment for violations and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any substance or article possessing a preservative or coloring character or action making the same a misdemeanor and to prescribe penalties and punishment for violations and the means and methods of procedure for the enforcement thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That if any person firm or corporate body shall by himself herself or themselves or by his her or their or its agents or servants sell ship consign offer for sale expose for sale or have in possession with intent to sell as fresh any meat poultry game or shell fish which contains any substance article or ingredient possessing a preservative character or action or which contains any coal-tar dye or any other substance or ingredient possessing a coloring character or action [shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the peace of the proper county shall be sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars and all costs or to undergo an imprisonment in the county jail not less than sixty days nor more than ninety days or both at the discretion of

the court and upon conviction of any subsequent offense shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars or be imprisoned not less than sixty days nor more than four months or both or either at the discretion of the court] shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

Provided That nothing in this section shall prohibit the use of ice as a preservative or proper refrigeration

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 15, as follows:

An Act to amend section twelve of the act approved the twenty-sixth day of June one thousand nine hundred nineteen (P. L. 670) entitled "An act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the twenty-sixth day of June one thousand nine hundred nineteen (P. L. 670) entitled "An act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act" is hereby amended to read as follows

Section 12 [Any person firm or corporation violating any provision of this act shall be guilty of a misdemeanor and shall upon conviction be punished for the first offense by a fine not exceeding two hundred dollars ($200) and for the second or any subsequent offense by a fine not exceeding three hundred dollars ($300) or by an imprisonment of not more than one year or by both such fine and imprisonment in the discretion of the court] Any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a serond or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 16, as follows:

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" as amended by the act approved the nineteenth day of April one thousand nine hundred one (P. L. 85) is hereby further amended to read as follows

Section 1 Be it enacted &c That if any person firm or corporate body by himself herself or themselves or by his her or their agents or servants shall offer for sale expose for sale sell or have in possession with intent to sell for human consumption milk or cream to which has been added boracic acid salt boracic acid salicylic acid salicylate of soda formaline formaldehyde sodium fluoride sodium benzoate or any other compound or substance for

the purpose of preserving or coloring the same [shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of Quarter Sessions of the proper county shall be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or to undergo an imprisonment not exceeding sixty days or both at the discretion of the court] shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 17, as follows:

An Act to amend section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act fo rthe protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels resaurants lunch rooms fountains and dining cars and providing penalties" making first violations of said act summary offenses instead of misdemeanors and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the purtection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" is hereby amended to read as follows

Section 2 [Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five ($25) dollars nor more than fifty ($50) dollars or imprisonment for not less than thirty (30) days nor more than ninety (90) days or either or both at the discretion of the court] Any person copartnership association or corporation violating any of the provisions of this act shall for the first offense upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) and in default thereof such person or the responsible officers and agents of the corporation or association shall be sentenced to undergo imprisonment for not more than thirty (30) days and for a second or subsequent offense be guilty of a misdemeanor and on conviction thereof shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 108, as follows:

An Act to further amend subsection (b) of section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by authorizing the board to approve additional places of storage for malt or brewed beverages by certain licensees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed

beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 12 Prohibitions Against the Grant of Licenses

* * * * *

(b) No person shall possess or be issued more than one distributor's importing distributor's license no person shall possess or be issued more than one class of license No distributor or importing distributor shall maintain or operate any place where sales are made other than that for which the license is granted No distributor or importing distributor shall maintain any place for the storage of malt or brewed beverages except in the same municipality or township in which the licensed premises is located and unless the same has been approved by the board In the event there is no place of storage or cold storage in the same municipality or township the board may approve for an importing distributor or distributor a place of storage or cold storage in the nearest municipality or township in the same county where the licensed premises are located No distributor's importing distributor's or package retailer's license shall be issued for any premises in any part of which there is operated any retail license for the sale of liquor or malt or brewed beverages

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 186, as follows:

An Act to amend section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof [(not less than one thousand feet)] laid out and opened in the township No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved [nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of road to be so improved]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 229, as follows:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred forty-nine to be paid to State aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments

from the appropriation herein made shall be made to such hospitals from time to time at the rate of seventy-five dollars ($75) annually for each student nurse being trained in a hospital

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 304, as follows:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article eight of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a new section to read as follows

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters who may on the occurrence of any election be unavoidably absent from the State or county of their residence because of their being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with or as a direct result of their military service may vote and for the return and convass of their votes in the election district in which they respectively reside

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 333, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5000) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years beginning June first one thousand nine hundred forty-nine to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses for any year following one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 357, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by empowering counties to set apart lands and buildings and to acquire real estate by lease purchase or gift for use as fairgrounds authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agri-

cultural fairs and fairgrounds including the appropriation of funds the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six hundred fifty six hundred fifty-one six hundred fifty-two and six hundred fifty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 613) are hereby further amended to read as follows

Section 650 Power to Acquire Land and Buildings The county commissioners may in any county designate and set apart for use as parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers and [in counties of the third class] as agricultural fairgrounds any lands or buildings owned by such county and not dedicated or devoted to other public use The county commissioners may also acquire lands or buildings for such purposes by gift purchase or may lease lands or buildings in such county for temporary use for such purposes

Section 651 Equipment and Maintenance The authority to supervise build and maintain fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers may be vested in any existing body or board or in a park board or recreation board [and in counties of the third class in a] or fair board as the county commissioners may determine The county commissioners of the county may equip operate and maintain the fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers as authorized by this act and may for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 652 Fair Park and Recreation Boards If the county commissioners shall determine that the power to supervise fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or recreation centers shall be exercised by a park board or recreation board or [in counties of the third class by a] fair board they may establish in said county such fair board park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the respective county commissioners Either such boards when established shall consist of not less than five persons The members of such boards shall be appointed by the commissioners of such county and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the terms of all the members shall not expire in the same year Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 656 Payment of Expenses Taxation Annual Fairs State Contributions All expenses incurred in the operation of such fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums swimming pools public baths and indoor recreation centers established as herein provided shall be payable from the treasury of such county The county commissioners may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such county for the purpose of maintaining and operating such fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools and recreation centers [In counties of the third class the] The county commissioners or the fair board if there be one may provide for and hold an annual fair or agricultural exhibition on the fairgrounds acquired or maintained as aforesaid and may accept aid or contributions from the Commonwealth under any act of Assembly for the payment of premiums at any such fair or exhibition

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 379, as follows:

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred fifty dollars ($250) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the House of Representatives of the General Assembly for the payment of contingent expenses including extra services of employes of the House and clerical stenographic traveling and discretionary charges of the minority whip for the balance of the work of the legislative session of one thousand nine hundred forty-nine Said sum shall be in addition to any sum heretofore appropriated to the House of Representatives for said purpose

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,

Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 453, on third reading, entitled:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervisors and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 497, on third reading, entitled:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 508, as follows:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby appropriated to the Department of Health for the maintenance of the Institute for Cancer Research Incorporated located at Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 524, as follows:

An Act to amend Sections one thousand four hundred twenty-nine and two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by setting forth the qualifications of certain school nurses requiring their certification and providing for reimbursement on account of school nurses in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand four hundred twenty-nine and two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1429 School Nurses Cooperation With Political Subdivisions Any board of school directors or boards of school directors jointly shall employ one or more school nurses and shall define their duties All nurses so employed shall be graduates of accredited training schools for nurses certificated by the Department of Public Instruction as school nurses and shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work Any school registered nurse legally employed as such in the public school system of the Commonwealth as of the first day of July one thousand nine hundred forty-seven shall have the same status as any other professional employe and shall not be required to have the educational qualifications hereinbefore prescribed All such nurse employes shall be certificated permanently as school nurses by the department of public instruction

Section 2505 Payments On Account of School Nurses Every school district and every vocational school district shall be paid by the Commonwealth for every school year on account of the employment of properly certified school nurses an amount equal to one reimbursement unit for each nurse having the care of fifteen hundred or more pupils in average daily membership in the districts' public schools and for each nurse having the care of less than fifteen hundred such pupils the fractional part of one reimbursement unit equal to the number of such pupils under her care divided by fifteen hundred the reimbursement provided for by this section shall be paid by the Department of Health out of any money appropriated to said department for administering the provisions of article fourteen of this act where school districts of the first class employ nurses of the Department of Public Health of the city in which the school district is located who are certificated as school nurses reimbursement shall be subject to recommendation by the Department of Public Instruction

Section 2 The provisions of this act as well as the provisions of the sections amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 623, as follows:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 654, on third reading, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 667, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell the tracts of land with the improvements thereon occupied by the former Pennsylvania Maritime Academy in Bucks County and providing for the disposition of the proceeds of such sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell at public sale to the highest bidder the several lots of ground with the improvements thereon comprising the land formerly occupied by the Pennsylvania Maritime Academy as follows

Lot No. 1 All that certain lot or piece of ground with the buildings and improvements thereon erected lying and being in the Township of Falls County of Bucks and State of Pennsylvania bounded and described as follows to wit

Beginning at a stone standing in the middle of the road (called Bordentown Ferry Road) now or late a corner of Hector C Robbins' land and also a corner of John W Thompson's land and running thence along said Thompson's land north ten and a half degrees east thirty-eight and six-tenths perches to low water mark of Biles Creek thence along the same south forty-two degrees west thirty-six perches to the line of land late of Benjamin P. Brown thence along the same and the above named road south fifty-five and a half degrees east twenty and five-tenths perches to the place of beginning

Containing two acres and forty perches of land be the same more or less

Being the same lot which by indenture dated the fourth day of January one thousand nine hundred forty-seven was conveyed by John E. Thropp 3rd and Genevieve A. Thropp his wife James W. Thropp and Lillian I. Thropp his wife Charles S. Keevil and Etta Pence Keevil his wife and Charles S. Keevil Jr. single man to the Commonwealth of Pennsylvania said deed being recorded in the office for the Recording of Deeds in and for the County of Bucks in Deed Book number seven hundred seventy-eight page ninety-six

Lot No. 2 All that certain tract or parcel of land situate in the Township of Falls in the County of Bucks and State of Pennsylvania bounded and described according to a survey thereof made by Edward Pickering 3rd Registered Surveyor on the twenty-fourth day of May one thousand nine hundred forty-four as follows to wit

Beginning at a corner of remaining land of W. Paul Starkey Jr. and Austin C. Starkey in the middle of the Bordertown Ferry Road thirty-three feet (33') wide at a distance of one hundred six and fifty-one hundredths feet measured southeastwardly along the middle of said road from a corner of land of the John E. Thropp Estate thence extending along remaining land of Starkey's aforesaid from which this is taken the three following courses and distances viz north thirty-six degrees twenty-five minutes thirty seconds east five hundred fifty-four and three-tenths feet to a stone corner thence north eight degrees thirty-four minutes thirty seconds west two hundred twelve and thirteen-hundredths feet to a stone corner thence north fifty-three degrees thirty-four minutes thirty seconds west three hundred and thirty-seven feet more or less to the low water line of Biles Creek thence passing down the same and around the point and down the low water line of the Delaware River by its various courses for a distance of two thousand and ninety-seven feet more or less to another corner of remaining land of W. Paul Starkey Jr. and Austin C. Starkey aforesaid thence by said land and passing over a line stone set on the top of the river bank and over another line stone set on the side of the road south thirty-six degrees twenty-five minutes thirty seconds west sixteen hundred twenty-four and three-tenths feet more or less to the middle of the Bordertown Ferry Road aforesaid thence along the middle thereof north fifty-three degrees thirty-four minutes thirty seconds west one hundred feet to the place of beginning

Containing twenty-one and ninety-two hundredths acres (21.92) be the same more or less

Being the same lot which by indenture dated the fourteenth day of June one thousand nine hnndred forty-four was conveyed by W Paul Starkey Jr and Elizabeth Kennedy Starkey his wife and Austin C Starkey single man to the Commonwealth of Pennsylvania said deed being recorded in the Office for the Recording of Deeds in and for the County of Bucks in Deed Book number seven hundred forty-three page two hundred thirty-three

Lot No 3 All that certain piece or tract of land situate in the township of Falls County of Bucks and State of Pennsylvania bounded and described as follows to wit

Beginning at a point in the middle of the Bordentown Ferry Road at a corner of other property of the Commonwealth of Pennsylvania and running thence (1) in the said road north fifty-three degrees thirty-four minutes thirty seconds west one hundred six and fifty-one hundredths feet to a corner of land of John E Thropp Estate thence (2) north five degrees thirty-nine minutes thirty seconds east along the said Thropp land seven hundred three and forty-six hundredths feet to mean low water of the River Delaware thence (3) along the same northerly one hundred two and no-tenths feet more or less to a point of other land of the Commonwealth of Pennsylvania thence (4) south fifty-three degrees thirty-four minutes thirty seconds east along the Commonwealth land three hundred thirty-seven and no-tenths feet thence (5) continuing along the same south eight degrees thirty-four minutes thirty seconds east two hundred twelve and thirteen hundredths feet to a corner thence (6) again along the same south thirty-six degrees twenty-five minutes thirty seconds west a distance of five hundred fifty-four and thirty hundredths feet to the middle of the said road and to the place of beginning

Containing four and eight hundred nine thousandths acres (4.809) of land be the same more or less

Being the same lot which by indenture dated the thirty-first day of October one thousand nine hundred forty-six was conveyed by W Paul Starkey Jr and Elizabeth Kennedy Starkey his wife and Austin C Starkey single man to the Commonwealth of Pennsylvania said deed being recorded in the Office for the Recording of Deeds in and for the County of Bucks in Deed Book number seven hundred eighty-three page sixty-four

Section 2 The moneys received as the purchase price shall be paid into the General Fund of the State Treasury

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 669, on third reading, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees, and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 738, as follows:

An Act to further amend section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by exempting scheduled common carriers by air of mail and passengers from license requirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1811) is hereby further amended to read as follows

Section 5 It is hereby declared that securing a license hereunder shall not be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or a person or persons who make and sell vinegar nonalcoholic cider and fruit juices or a person or persons who manufacture store sell or transport methanol propanol butanol and amanol or a person or persons who conduct a wholesale drug business or a person or persons who manufacture alcoholic preparation not fit for use as a beverage other than denatured alcohol or for beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups unfit for beverage purposes or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in the finished product as alcohol or alcoholic liquid or such common carriers by railroad as are subject to regulation by the Public Service Commission of the Commonwealth of Pennsylvania or scheduled common carriers by air of mail and passengers or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured as specified by the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	McPherson, Jr.,	Tarr,
Barrett,	Geltz,	Meade,	Taylor,
Berger,	Haluska,	Neff,	Toole,
Blass,	Hare,	Pechan,	Wade,
Chapman,	Holland,	Peelor,	Wagner,
Crowe,	Homsher,	Robinson,	Walker,
Dent,	Kephart,	Rosenfeld,	Watkins,
Diehm,	Lane,	Ruth,	Watson,
DiSilvestro,	Leader,	Scarlett,	Wood, L. H.,
Doehla,	Letzler,	Snowden,	Wood, T. N.,
Donlan,	Lord,	Stiefel,	Yosko,
Farrell,	Mahany,	Tallman,	

NAYS—3

Mallery,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 743, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June first one thousand nine hundred forty-nine to continue the work of the commission for the revision of the codes of laws relating to cities of the third class and to counties of the second to the eighth class and for the payment of the expenses of the members of said commission for the payment of the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1010, as follows:

An Act to further amend section nine of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by allowing credit for prior service in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 789) is hereby further amended to read as follows

Section 9 Membership Each elected officer may and each appointed county employe shall be required to become a member of the retirement system established under the provisions of this act as of the date the same is established or when such county employe first becomes an employe if after such retirement system is established Those becoming members when the retirement system is originally established shall be known as original members and those entering county employment thereafter as new members Any person who becomes a county employe subsequent to the time the system was established and who had been an employe of the county at any time theretofore shall receive credit for the service prior to the time the system was established and be known as an original member if said employe shall contribute to the fund the amount which he would have contributed if the retirement system had been in effect during such previous employment in which event the county shall contribute for each employe the amount which it would have contributed if the retirement system had been in effect during such previous employment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1040, as follows:

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut-off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

Whereas the proper treatment and disposal of sewage and wastes are vital to the health and well-being of the inhabitants of the Commonwealth of Pennsylvania and to the purity of its waters and

Whereas the successful operation of a water supply system is dependent upon the provision of adequate facilities for conveying from premises receiving pure water the resultant sewage and wastes and of adequate facilities for treating and disposing of the same as required by law and

Whereas owners of property served by sewers sewerage systems and sewage treatment works and users of water on or in such premises are properly chargeable for such service according to the quantity of water supplied to them as measured by water meter readings or flat-rate water charges and

Whereas to enable municipal authorities to acquire construct and operate sewers sewerage systems and sewage treatment works revenues must be assured for the successful issue and the due retirement of their revenue bonds and

Whereas the prompt payment of rentals rates or charges for sewer sewerage and sewage treatment service can be assured only by the right of water shut-off for nonpayment thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect or fail to pay for a period of thirty (30) days from the due date thereof any rental rate or charge for sewer sewerage or sewage treatment service imposed by any municipal authority organized by any county of the

second class such water utility is hereby authorized and required at the request and direction of such authority or of the city borough or township to which the authority shall have assigned its claim or lien for such service to shut-off the supply of water to such premises until all such overdue rentals rates and charges together with any penalties and interest thereon shall be paid If such authority or such city borough or township shall also supply water to any premises it is hereby authorized to shut-off the supply of water to such premises as herein set forth

Section 2 Every such water utility is hereby authorized and required at the request of any such authority to supply to such authority on or before the fifteenth day of the month following the month during which water bills are issued a list or lists of all water meter readings and flat-rate water bills issued during the preceding calendar month and the basis of each flat-rate customer's water charge so that such data may be used by such authority in calculating or computing its rentals rates or charges for furnishing sewer sewerage or sewage treatment service to such water customers

Section 3 Such water utilities are hereby authorized to act as the billing and collecting agents of any such municipal authority which imposes upon the owners or occupants of premises served by such water utilities any rentals rates or charges for the use of a sewer severage system or sewage treatment works Upon request of any such authority the water utility may include with its own bills for water or water service such rentals rates and charges for sewer sewerage and sewage treatment service Such added rentals rates and charges shall be set forth separately from the charge for water or water service but both shall be payable to and collected by such water utility and payment of either may be refused unless both are paid Such water utility shall at least quarter-annually account for and turn over the moneys it has collected to the authority which shall have imposed such rentals rates or charges

Section 4 The authority imposing such sewer sewerage or sewage treatment rentals rates or charges shall pay to every such water utility the reasonable additional clerical and other expenses incurred by it in providing such billing and collecting services The authority or city borough or township which shall request and direct the shut-off of water shall also pay to the water utility the cost of such shut-off services and the estimated loss of water revenues resulting from such shut-off

Water utilities are hereby authorized to enter into long-term agreements with such authorities for the performance of such billing and collecting services and with such authorities cities boroughs and townships for such shut-off services which agreements shall be binding upon such water utilities their successors and assigns If a dispute shall arise between any such water utility and the authority city borough or township regarding the cost of such services or the amount of such revenues lost or regarding the provisions of any agreement between them concerning payments for such services such dispute shall be submitted by either party to the Pennsylvania Public Utility Commission whose decision unless reversed on appeal by the Superior Court shall be final but this act shall not be construed to grant to the Pennsylvania Public Utility Commission any other regulatory power or jurisdiction whatsoever over cities boroughs townships or authorities

Section 5 As used in this act the term "water utility" or "water utilities" shall be construed to include all cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water or water service

Section 6 The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 All acts and parts of acts inconsistent with this act are hereby repealed

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1041, as follows:

An Act to amend sections four and eight of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by counties of the second class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed

under other and prior acts of Assembly" is hereby amended to read as follows

Section 4 The lien for taxes shall exist in favor of and the claim therefor may be filed against the property taxed by any municipality to which the tax is payable

The lien for the removal of nuisances shall exist in favor of and the claim therefor may be filed against the property from which it is removed or by which it is caused by any municipality by or for which the nuisance is removed

The lien for grading guttering paving macadamizing or otherwise improving the cartways of any highways for grading curbing recurbing paving repaving constructing or repairing the footways thereof or for laying water pipes gas pipes culverts sewers branch sewers or sewer connections in any highway for assessments for benefits in the opening widening or vacation thereof or in the changing of watercourses or construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same or for water rates lighting rates or sewer rates or rates for any other service furnished by a municipality shall exist in favor of and the claim therefor may be filed against the property thereby benefited by the municipality extending the benefit or the city borough or township in which the property is located if the work material or service forming the basis of such lien was supplied by a municipal authority organized by a county of the second class and such lien or the claims therefor has been assigned to it

Municipal authorities organized by counties of the second class are hereby authorized to assign their municipal claims and their liens to the city borough or township in which the property subject thereto is located and cities boroughs and townships in which such property is located are hereby authorized to purchase the same Upon such assignment or purchase the city borough or township acquiring such municipal claim or lien shall have the same rights thereunder as if it had supplied the work material or service upon which such municipal claim or lien is based

When the contractor performing the work is to be paid by assessment bills the lien shall exist for and the claim shall be filed to his use and he shall under no circumstances have recourse to the municipality authorizing the work

Section 2 Section eight of said act is hereby amended to read as follows

Section 8 Where claims are to be filed to use the claimant at least one month before the claim is filed shall serve a written notice of his intention to file it unless the amount due is paid Service of such notice may be made personally on the owner wherever found but if he cannot be served in the county where the property is situated such notice may be served on his agent or the party in possession of the property and if there be no agent or party in possession it may be posted on the most public part of the property

The provisions of this section shall not apply if the use-plaintiff is a city borough or township to which a municipal claim of a municipal authority organized by a county of the second class has been assigned or sold as provided in section four of this act and the procedure for filing reviving and enforcing liens for such assigned claim shall be the same as is provided in this act for filing reviving and enforcing liens based on such use-plaintiff's own municipal claims

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1044, as follows:

An Act to amend the title of and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two four five six and eight of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" are hereby amended to read as follows

An Act relating to the filing and revival of liens for taxes [and] water rates sewer rates and other municipal claims and charges in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for liens for delinquent [tax and water rate liens] taxes rates claims and charges defining the powers and duties of said office providing for enforced collection of said taxes [and water] rates claims and charges imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class

Section 1 There is hereby established in cities of the second class the office of solicitor for [delinquent real estate tax and water rate] [liens] liens for delinquent taxes rates claims and charges Said solicitor shall be appointed by a majority of a board composed of the mayor the president of the board of public education the city solicitor the school solicitor and the collector of delinquent city and schol taxes

For the purpose of this act the term "board" shall be deemed to mean the board referred to and created in the preceding paragraph The mayor shall be the chairman of the board and meetings of said board shall be called upon written notice by the mayor or the solicitor to each member a majority of the board shall constitute a quorum

Section 2 Said solicitor shall be charged with the duty of filing and reviving liens in the office of the prothonotary of common pleas court for all delinquent city and school taxes [and] water rates sewer rates and all other municipal claims and charges levied and imposed upon real estate within the territorial limits of cities of the second class The proper authorities of the city and school district shall before the first day of the third year after the year for which such taxes [and water] rates and other municipal claims and charges have been levied or imposed whether the same shall have been levied or imposed by the city or school district or assigned to them or to either of them furnish the solicitor with a certified report or duplicates of such taxes [and water] rates and other municipal claims and charges showing a description of the property the name or names of the registered owner or owners and the amounts of all taxes [and water] rates and other municipal claims and charges to be filed as liens by said solicitor

Section 4 The solicitor shall be an attorney engaged in the practice of law for more than ten years and a resident of the city for a like period He shall subject to the approval of the board appoint all necessary clerks and assistants whose number and salaries and the salary of the solicitor shall be fixed by the board The solicitor shall act as attorney for the city and school district in all matters pertaining to liens for city and school taxes and for water rates sewer rates and all other municipal claims and charges whether levied or imposed by the said city or school district or assigned to them or to either of them including the filing and revival of such liens and the prosecution of the same to judgment and execution in the collection of such delinquent taxes [and] rates claims and charges together with such proceedings as may be considered necessary or desirable in perfecting titles acquired at any tax sale The solicitor shall at all times be under the direction and subject to the control of the board and shall perform such other duties in connection with such taxes [and] rates claims and charges as the board may direct Provided however That the duties placed upon the solicitor in connection with claims for street sewer or sidewalk improvements or other purely city charges except water rates and sewer rates shall not be deemed mandatory unless the legislative bodies of the city and school district shall impose such duties in response to the request of the board

Section 5 The solicitor shall upon receiving the certified reports or duplicates from the city and school district as provided for in section two of this act file liens for such taxes [and water] rates claims and charges and against the properties shown in such reports in the manner and within the time prescribed by law for the preservation of such liens City taxes school taxes [and] water rates sewer rates and all other municipal claims and charges may be combined in one lien and such taxes [and] rates claims and charges for two or more years may be inclded in one lien The fee of the prothonotary for filing reviving indexing and docketing such joint or combined lien or a consolidated lien as hereinafter provided for shall be the same as that fixed by law for similar service in connection with a single lien

Section 6 In the filing and revival of liens it shall be lawful to file of record a consolidated lien which may include city and school taxes [and] water rates sewer rates and all other municipal claims and charges for which liens had been filed or revived within a period of five years preceding the date of filing such consolidated lien Provided however That the liens which are to be consolidated have been entered against the same defendant or defendants and against the same property Such liens shall be marked "consolidated lien" and in addition to the matters required to be set out in a tax lien under existing law shall show in connection with each prior lien included therein the kind and amount of tax the year for which levied and the number and term of the original lien

The entry of a consolidated lien shall have the effect of reviving each of the liens included therein as of the date of its filing and all proceedings thereafter shall be on the consolidated lien which may be revived from time to time as in the case of other tax claims Such consolidated liens shall be indexed in the proper index by the prothonotary and where the amount claimed would ordinarily appear he shall insert the words "consolidated lien"

The word "consolidated" and the number and term or place of record of the cinsolidated lien together with the signature of the solicitor shall be stamped or written on the docket entry of the liens which are consolidated

Section 8 All powers and duties of the appropriate authorities of the city and school districts with reference to filing reviving and enforcing payment of liens for city and school taxes [or] water rates sewer rates or other municipal claims or charges through court action shall remain under existing laws or laws hereafter passed and are hereby conferred upon said solicitor on behalf of the aforesaid taxing bodies

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1045, as follows:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection main-

tenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties of the second class the powers granted therein clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" as amended by the act approved the fourteenth day of May one thousand nine hundred thirty-seven (P. L. 630) are hereby further amended to read as follows

An Act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates of charges for the use of certain sewers [sewage] sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumgrances mortgages and pledges heretofore made

Section 1 Be it enacted &c That whenever any county of the second class city borough incorporated town or township either singly or jointly with other municipalitits or townships [or both] (a) has wholly or partially constructed or completed or shall hereafter wholly or partially construct or complete any sewer [or sewage] sewerage system or sewage treatment works either wholly or partially at public expense or [shall have] (b) has acquired or shall hereafter acquire the same either wholly or partially at public expense or [whenever any city borough incorporated town or township shall singly or jointly with other municipalities or townships or both] (c) has entered or shall hereafter enter into any contract with any authoriyt established in accordance with law or with any private corporation for the design or construction of sewers sewerage systems or sewage treatment works or for the furnishing of sewer sewerage or sewage treatment services [or both] for its or their benefit and the benefit of the inhabitants thereof such county of the second class city borough incorporated town or township may provide by ordinance or resolution enacted either before or after the acquisition or construction thereof or the entry into such contract for the imposition and collection of an annual rental rate or charge for the use of such sewer [sewage] sewerage system or sewage treatment works from the owners of or the users of water in or on the property served or to be served by it or from both the owner and the water user whether such property is located within or without the corporate limits of such county of the second class city borough town or township

The annual rental rate or charge so imposed shall be a lien on the properties served and such liens may be filed in the office of the prothonotary and collected in the manner provided by law for the filing and collection of municipal claims

Section 2 Any such annual rental rate or charge may be but shall not be limited to such sum as may be sufficient to meet any or all of the following classes of expense (a) the amount expended annually by the county of the second class city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer [sewage] sewerage system or sewage treatment works (b) such annual amount as may be necessary to provide for the amortization of [the] any indebtedness incurred or [the] nondebt revenue bonds issued by the county of the second class city borough incorporated town or township in the construction or acquisition of such sewer [sewage] sewerage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating or as may be sufficient to pay the amount agreed to be paid annually under the terms of any contract or lease with any authority or private corporation furnishing or undertaking to design or construct facilities with which to furnish sewer sewerage or sewage treatment services to such county of the second class city borough town or township and its inhabitants and (c) sufficient to establish a margin of safety of ten per centum Any unused surplus from any preceding year shall be paid into the fund accruing from said rentals rates or charges and whenever the amount in said fund exceeds the said margin of safety of ten per centum the excess shall be paid into the sinking fund The amount required for sinking fund and interest shall be paid into the sinking fund and the amount so paid including any excess as above provided shall not be used for any other purpose The said annual rental or whatever rate or charge shall be decided upon by the county of the second class city borough incorporated town or township shall be apportioned equitably among the properties served by the said sewer [sewage] sewerage system or sewage treatment works

Section 2 Said act is hereby further amended by adding immediately following section two three new sections to read as follows

Section 2.1 It shall be lawful for any county of the second class city borough incorporated town or township to execute such agreements and contracts as it may deen necessary or advisable with an authority organized by a county of the second class undertaking to provide or to design or construct facilities with which to provide sewer sewerage or seweage treatment service to it and to its inhabitants also to grant convey lease transfer encumber mortgage and pledge to such authority its sewers sewerage systems sewage treatment works and appurtenant facilities and any improvements extensions and additions thereto to assign and pledge to such authority rentals rates and charges charged and collected by it for the use thereof and to assign to such authority its power to charge and collect the same No such agreement contract grant conveyance lease transfer assignment encumbrances mortgage or pledge shall be construed to prevent the effected county of the second class city borough incorporated town or township from thereafter using its tax revenues for the purpose of maintaining repairing altering inspecting improving or extending such sewers sewage systems or sewage treatment works

Every such agreement contract grant conveyance lease transfer assignment encumbrance mortgage and pledge heretofore made is hereby ratified confirmed and made

valid and the same shall be and remain lawful valid and enforceable according to its terms

Section 2.2 The rights powers and privileges granted to authorities by this act shall be in addition to and not in limitation of those granted by the Municipality Authorities Act of one thousand nine hundred forty-five or any other law and shall be construed to enlarge and not to reduce or limit the rights powers and privileges of authorities

Section 2.3 The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

ERRATUM

Mr. WALKER. Mr. President, at this time, for the purpose of the record, I would like to advise the Senate that yesterday the Senate passed Senate Bill No. 578, bearing Printer's No. 304. Through an error in the printing, the printer also sent up the same identical bill, Senate Bill No. 578, bearing Printer's No. 314. They are absolutely identical bills with the exception of the fact that the printer put out an extra edition with a second printer's number on it. Printer's No. 304, which passed the Senate yesterday, is the correct printer's number, and should be shown in the Journal so that there is no confusion in the House

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on second reading, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school district are not wholly within a city

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 26, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 27, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend sections four hundred twenty-two, four hundred twenty-three and four hundred twenty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend sections two and three and to amend section four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 69, on second reading, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled, "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by providing for compensation in the case of self employers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 144, entitled:

An act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Teasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 189, entitled:

An Act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances, and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation and providing procedures for transmission and settlement of certain moneys.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consileration of House Bill No. 189, entitled:

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 252, on second reading, entitled:

An Act to amend the title and to further amend sections three and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the receptiin care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvani Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" by providing for the reception care maintenance detention employment and training of psychopathic delinquents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 258, on second reading, entitled:

An Act to amend Article twelve sections twelve hundred two twelve hundred three and twelve hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 270, entitled:

An Act providing for the oral examination of judgment debtors for the purpose of discovering whether such persons have property which may be made subject to execution on the judgment and conferring powers to compel attendance and examination of such persons upon courts of record.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class, boroughs, towns, and townships to carry out certain of their governmental functions in a more efficient manner; prescribing the officers and powers and duties of such districts and the duties of participating municipalities; and conferring jurisdiction on courts of quarter sessions in connection therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 283, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Mt. Pocono Airport Authority certain property located in Monroe County and commonly known as the "Mt. Pocono Airport"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class providing for obtaining full benefits by contributors heretofore or hereafter making such change and imposing duties on the board in respect thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 325, on second reading, entitled:

An Act to amend section eight hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing

certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 326, on second reading, entitled:

An Act relating to forest management and damage caused by improper timber cutting methods resulting in the denuding of vast areas of the Commonwealth, and contributing to undue exhaustion of timber supply, recurring floods, soil erosion and depletion of the water supply; providing for the establishing and organization of District Forest Practice Boards, and the appointment of their officers; prescribing their powers and duties; fixing the powers and duties of the Secretary of Forests and Waters relative to the enforcement of this act; and providing assistance to such District Forest Practice Boards and woodland owners.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 327, on second reading, entitled:

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with resptct thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales and prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof; and by further regulating insurance in connection with such sales.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first and second class authorizing the recording and copying of documents plates papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 389, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes' defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading, entitled:

An Act relating to group life insurance; describing permitted policies and restrictions thereon and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 449, on second reading, entitled:

An Act to promote the welfare of the veterans of this Commonwealth; creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to Veterans to establish themselves in business or professions; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; prescribing the powers and duties of said Authority, and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 450, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" further defining the scope of the act and by authorizing nonprofit medical and osteopathic service corporations to provide osteopathic services by doctors of osteopathy to subscribers

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 1 (Sec. 219), page 8, line 14, by inserting after the word "nonprofit" the following: "medical"; Amend Sec. 1 (Sec. 219), page 8, line 14, by striking out, after the word "osteopathic," the following: "medical."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 450, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 451, on second reading, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act providing for the payment of the compensation, medical and hospital expenses of employes of cities of the second class who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any sick leave periods authorized by law or regulation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 532, on second reading, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 533, entitled:

An Act to add section two hundred seventy-eight point one to the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 544, on second reading, entitled:

An Act to further amend the first paragraph of section eight of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further prescribing the number of eligible employes necessary for municipalities to join said retirement system.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing that stock issued upon any increase of capital made by any stock insurance company may be exchanged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act to amend section four hundred twenty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Extcutive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the salaries of the chairman and members of the Pennsylvania Securities Commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 588, entitled:

An Act making an appropriation to the Pennsylvania Aeronautics Commission for the payment of certain moral claims and providing for the hearing, adjustment and payment of moral claims of persons whose property is damaged through negligence of employes of the Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 598, entitled:

An Act to amend section ten of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by changing the fee for filing conditional sales contracts in the office of the prothonotary.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 619, on second reading, entitled:

An Act to amend the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style or designation, unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the County, to provide books or other means of reproduction for the entry of such applications; requiring the cancellation of such application or the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," by providing for supplemental applications to be filed by persons entering an existing business, the fictitious name of which has been filed under said act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole bing in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 628, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protestion of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance

authorized but unissued stock to officers and employes of company or subsidiary upon approval of majority of stockholders.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 640, entitled:

An Act to repeal section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" relating to the right of certain mutual fire insurance companies to become stock companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 642, entitled:

An Act to amend section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating reserves with respect to domestic mutual fire insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole bing in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 655, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 657, entitled:

A Supplement to the act approved the first day of June one thousand nine hundred forty-three (P. L. 798) entitled "An act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation" by authorizing the Governor to enter into an amendment of the Atlantic States Marine Fisheries Compact providing that two or more states may constitute their representatives on such commission as a joint agency for the regulation of specific fisheries in which they have a common interest and may delegate to such agency such responsibility and duties as they may mutually agree upon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause treatment prevention and cure of the various types of nervous disorders and mental diseases and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 661, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction and furnishing of building space

to be used for instruction and dormitory purposes in the training and housing of nurses who are in training in the Unievrsity or serving in the hospitals comprising the Medical Center of the University of Pittsburgh and also those nurses employed and in training in the Western State Psychiatric Institute and Clinic.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 673, entitled:

An Act to further amend paragraph A of section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissoltion of such corporations; conferring certain rights, powers. duties. and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of the word "university" in corporate names except in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 678, entitled:

An Act to further amend paragraph A of section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commisions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting the use of the word "university" in corporate names except in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 680, on second reading, entitled:

An Act to further amend section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargainning empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the powers of the Pennsylvania Labor Relations Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 698, on second reading, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue liquor licenses to airport restaurants without regard to population restrictions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 702, on second reading, entitled:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General's Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitation of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 711, entitled:

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocation school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 721, entitled:

An Act to amend section three of the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting any dredging operations deemed inimical to the project.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 723, on second reading, entitled:

An Act to further amend section two of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227), entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith," by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 723, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 724, on second reading, entitled:

An Act to amend the title and section one of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 679), entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value," by eliminating the requirement that such an issue be at par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between pub-

lic utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots; and eliminating expired provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 729, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations betwen public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon person, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 733, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations, subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations betwen public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation,

the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission's action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of injured, ill or dead persons by ambulance; and eliminating expired provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 735, on second reading, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permiting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election of officers; providing penalties; and repealing existing act," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 736 on second reading, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 755, entitled:

An Act to further amend section four hundred twenty-seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor; and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the salaries of members of the State Athletic Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed fo ra third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, entitled:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 768, entitled:

An Act to add clause (v) to section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain

administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth, day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife was subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 783, entitled:

An Act to amend clause (6) of section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreemtns with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 793, entitled:

An Act to further amend section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the catching and taking of terrapin on Sunday.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations regulating the purchase possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies restricting the issuance of licenses to clubs not included among said units conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 883, entitled:

An Act validating special, primary, municipal and general elections, when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof, Provided, no action, contest or suit has been instituted within one year from the date of any such election, or other proceding involving fraud or error instituted or pending.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 979, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water and Powers Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 1 (Sec. 2) page 3, line 16, by striking out the word "coal"; Amend Sec. 1 (Sec. 2) page 3, line 16, by striking out the word "culm"; Amend Sec. 1 (Sec. 2) page 3, line 17, by inserting after the word "material" the following "except coal and culm."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amened,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1004, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1192, on second reading, entitled:

An Act to further amend section twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THE HONORABLE DEAN W. MILLER, STATE SENATOR FROM NEW MEXICO, PRESENTED TO SENATE

The PRESIDENT. At this time the Chair would like to introduce to the Members of the Senate, the Honorable Dean W. Miller, State Senator from the State of New Mexico. Will Senator Miller stand up, please?

We are very happy to have you here. I understand Senator Miller is a former resident of York, Pennsylvania.

BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred seventy-three point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 4, 1949, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:41 o'clock p. m., Eastern Standard Time until Monday, April 4, 1949, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, March 31, 1949

The House met at 1:00 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer offered the following prayer:

O Almighty and everlasting God, who, with Thy strong arm and sleepless vigilance, dost govern those nations and states that look to Thee for guidance, we rejoice in the tokens of Thy favor which have been our heritage. To those who are called to positions of authority and responsibility in our State impart purity of motive, right judgment in counsel, direction in administration; to the people of the land grant loyalty, industry and godliness, that all things may tend to the healing of divisions, the establishment of peace and the promotion of Thy kingdom among men; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 30, 1949.

The Clerk proceeded to read the Journal of Wednesday, March 30, 1949, when, on motion of Mr. POSTA unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL 630

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 630, Printer's No. 111, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven."

JAMES H. DUFF.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 907.

An Act repealing certain acts and parts of acts relating to counties.

HOUSE BILL No. 753.

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" by further regulating the terms of the members of said commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. WESTRICK, from the Committee on Counties, reported as amended, House Bill No. 363, entitled:

An Act to amend section twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by changing the amount of the county annuity to which a beneficiary is entitled upon retirement for superannuation.

Mr. WHEELER, from the Committee on Highways, reported as amended, House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State Highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

Mr. HARRIS, from the Committee on Highways, reported as amended, House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

Mr. LEISEY, from the Committee on Counties, reported as committed, House Bill No. 180, entitled:

An Act to add section four hundred fifty-two to the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1278), entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing such counties to appropriate money to incorporated non-sectarian boys' and girls' clubs.

Mr. DOUGHERTY, from the Committee on Highways, reported as committed, House Bill No. 1153, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of con-

struction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

Mr. JOHNSON, from the Committee on Counties, reported as committed, Senate Bill No. 459, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes for their official acts, and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

Mr. BAUMUNK, from the Committee on Highways, reported as committed, House Bill No. 422, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River betwen a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

Mr. GUTHRIE, from the Committee on Counties, reported as committed, House Bill No. 480, entitled:

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh, and eighth class," by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds.

Mr. WATERHOUSE, from the Committee on Highways, reported as committed, House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

Mr. HARVEY A. MOORE, from the Committee on Counties, reported as committed, Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one housand nine hundred thirty-seven (P. L. 2017), entitled An act creating in each county (except of the first class) s a separate corporation, and in each city of the first nd second class as a part of the city government, an nstitution district for the care and maintenance of cerain indigent persons and children; prescribing the owers and duties of county commissioners, county treaurers, city departments of public welfare, the State Deartment of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any institution district funds to the general County Fund.

Mr. McMILLEN, from the Committee on Highways, reported as amended, House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

Mr. GRAYBILL, from the Committee on Welfare, reported as amended, House Bill No. 917, entitled:

An Act to amend section four hundred five of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth, regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further defining the powers of local authorities as to children.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 180, entitled:

An Act to add section four hundred fifty-two to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing such counties to appropriate money to incorporated non-sectarian boys' and girls' clubs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreably to order,

The House proceeded to the first reading and consideration of House Bill No. 422, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 480, entitled:

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh, and eighth class," by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1153, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocation, widening, or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the Sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any institution district funds to the General County Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 882.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal

claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes.

HOUSE BILL No. 909.

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled "An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties" empowering salary board to fix the number of deputies and their salaries

With the information that the Senate has passed the same without amendment.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HOUSE BILL No. 349

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 349, entitled:

An Act to further amend sections three and five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwelath; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties" by increasing the rates of certain taxes for a further limited period of time and providing for the allowance of discounts to certain purchasers of tax stamps or crowns.

And has appointed Messrs. Lloyd H. Wood, Fred P. Hare, John H. Dent, as a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

CONCURRENT RESOLUTION

In the House of Representatives, March 29, 1949.

Resolved (if the Senate concur), That House Bill No. 176, Printer's No. 43, entitled "An act validating certain sheriffs' sales of real estate for non-payment of taxes and other municipal liens and validating the title to such real estate in the hands of purchasers their heirs grantees and assigns" be recalled from from the Governor for the purpose of further consideration.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker: The membership is entitled to be informed as to the situation with regard to the five day week approved by Caucus action of the majority party during yesterday's Session. I would like to commend the membership for its complete willingness to work three and four day weeks up to the present time. It is of no legislative advantage however to have one house meet five days a week and the other a lesser number. Therefore I regret that the drive for final adjournment must once more await future agreement between the two bodies, and that next week's sssion will be of four days duration.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we accept on the part of the minority the Majority Leader's apology, with thanks.

Mr. BRUNNER. Mr. Speaker, we will be prepared next Monday as at all times during this session, past and future, to meet any objections of the minority, but we were persuaded by reasons other than those for adopting this policy for next week.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. ANDREWS. Will the gentleman assure me that he has at the present time a constitutional majority?

Mr. BRUNNER. Mr. Speaker, I do not hesitate to assure the gentleman, and if he feels inclined to test that fact he has my permission to do so.

Mr. ANDREWS. Mr. Speaker, let him call a controversial bill and we will see.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 254, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creaeting reorganizing or authorizing the reorganization of certain administrative departments

boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing under what circumstances hunting camp and cabin site leases may be canceled by the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PARLIAMENTARY INQUIRY

Mr. BRANDON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny, Mr. Brandon, will state it.

Mr. BRANDON. Mr. Speaker, House Bill No. 254, Printer's No. 519, and all bills up to and including pages 3—pages 1, 2, and 3, are not on my desk, and if they are called up for first reading today it will be impossible for amendments to be prepared. The Members of this House would want to know what the bills do contain. So, is it possible to have them passed over on first reading—the bills on pages 1, 2 and 3?

The SPEAKER. The Chair inquires whether the bills on first reading on pages 1, 2 and 3 are on file.

Mr. ANDREWS. Mr. Speaker, those bills are in pink but I do not think they are in white. I have copies of the bills in pink.

The SPEAKER. The Chair thanks the gentleman from Cambria.

The Chair desires also to inform the gentleman from Allegheny, Mr. Brandon, that all bills on first reading have been in print for quite some time.

Mr. BRANDON. I understand, Mr. Speaker, but I don't understand that these bills reported from Committee have all been reported unamended. I cannot find what I desire in regard to the bills at the present time.

The SPEAKER. The gentleman is correct in that the bills on first reading on the calendar were reported from Committee as amended. If it is essential and the gentleman so requests, the Chair will pass over the bills on first reading until they are put on the Members' desks.

The Chair desires to inquire, however, if in the opinion of the gentleman it is essential to do so.

Mr. BRANDON. Mr. Speaker, I cannot say whether or not it is essential or not essential. The only thing I say is, I should be able to find out what we are voting on or what we are approving here and be in a position, if necessary, to present amendments. If the Chair desires and if the Majority Leader desires, I am not going to insist upon passing over these bills but I do think that the membership of this House is entitled to have these bills on their desks for first reading, because otherwise we cannot prepare amendments for second reading.

The SPEAKER. The Chair is of the opinion that the gentleman presents a very good point.

The Chair desires to direct the attention of the gentleman to the fact, however, that on first reading if there are any bills in which the gentleman is interested, full cooperation will be extended him.

Mr. BRANDON. Mr. Speaker, on that ruling I do not press my request.

Mr. ANDREWS. Mr. Speaker, I would say for the benefit of the gentleman from Allegheny that there has been from the beginning of this session an understanding with the Leader of the majority that any bills in which any Member was interested to the extent of desiring to present amendments would at his request be held over. I think that we have arranged a situation to suit the convenience of the Members, and any Member who wants to amend a bill on first reading or on second reading and hasn't had the time to do so, if he will notify me the bill will be held over. If he insists on keeping his intention a secret, I have no way of protecting his interests as far as the majority Leader is concerned, but if they will let me know I can say to them and the Majority Leader will say to them, that they will be given every opportunity to study the bill and present their amendments.

The SPEAKER. The Chair thanks the gentleman. The Chair is also of the same understanding.

Mr. BRUNNER. Mr. Speaker, may I confirm the statement of the Minority Leader in its entirety.

The SPEAKER. The Chair thanks the Majority Leader.

PARLIAMENTARY INQUIRY

Mr. LOVETT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Westmoreland will state it.

Mr. LOVETT. Mr. Speaker, if we pass bills in this House that are not on the desks of the Members, after we adjourn and they are passed, is there a question as to the constitutionality in regard to the bills that we do not have on our desks?

The SPEAKER. The Chair will read the constitutional provision for the information of the gentleman from Westmoreland. The Chair will read Article III, Section 4 of the Constitution and Rule 42 of the House which covers the passage of bills:

"Every bill and every joint resolution shall be read at length on three different days. All amendments made thereto shall be printed for the use of the Members before the final vote is taken thereon and no bill shall become a law and no such resolution be adopted unless, on its final passage, the vote be taken by yeas and nays. The names of the persons voting for and against the same shall be entered on the Journal, and a majority of the Members elected be recorded thereon as voting in its favor, as required by the Constitution."

Mr. LOVETT. Mr. Speaker, may I further inquire if we are not living up to the Constitution in reading bills at length on three different days, whether or not by the short-cut, if the bills are on the desks at least, then I would say we were within our rights and the Constitution, but if the bills are not on the desks and the Member has not had the opportunity to find out whether the bills have been amended in committee, I question very much the constitutionality of passing such legislation.

The SPEAKER. The Chair desires to inform the gentleman that there is no constitutional provision requiring that the bills be filed on the Members' desks. The Chair directs the attention of the gentleman to the constitutional provision which only requires the printing of the bills.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 282, entitled:

An Act to amend Sections eight hundred fifteen and eight hundred twenty-five of Article VIII of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting target shooting during the big game season extending hunting privilege revocation periods for shooting at wounding or killing human beings in mistake for wild creatures and increasing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 526, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. The Chair desires to inquire of the gentleman from Allegheny, Mr. Brandon, whether he is now in possession of the bills on first reading as amended.

Mr. BRANDON. Mr. Speaker, the gentleman wishes to thank the Chair for procuring the bills for the gentleman from Allegheny.

The gentleman from Allegheny was not primarily interested in the gentleman from Allegheny but was interested in behalf of all the Members.

May I say in reply to the Minority Leader that yesterday afternoon I took this problem up with my own Minority Leader and my own Minority Leader at that time did not inform me of such an agreement as this. I did not wish to have my comments or my parliamentary inquiry to be taken as any criticism of either the Chair or the Majority Leader. My inquiry was directed for the benefit of all the Members, that they be adequately informed on the bills they are voting on, so that their constituents back home would know what they are voting for.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 943, entitled:

An Act relating to the propagation and growth of nut trees and other trees bearing crops excluding our present commercial fruit trees in this Commonwealth providing for the appointment qualification term and compensation of an Expert Tree Crops Advisor prescribing his powers and duties imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

And said bil lhaving been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1055, entitled:

An Act providing and regulating State assistance for housing including slum clearance and redevelopment and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1061, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injuired in the performance of their duty in certain cases and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hunudred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for transportation of pupils at the expense of the district and for reimbursement of the district by the Commonwealth for furnishing transportation to pupils.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1289, entitled:

An Act relating to the examination detention hearing commitment treatment rehabilitation probation and discharge of any person who is not insane but who offers from such conditions of emotional instability or of impulsiveness of behavior or who lacks the customary standards of judgment self-control and discretion or who fails to appreciate the consequences of his acts or who combines any one or more of such conditions so as to render such person irresponsible and thereby dangerous to himself or to others imposing certain duties on district attorneys courts and the Department of Welfare in respect thereto and providing for payment of maintenance costs and reimbursement in such cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 458, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 518, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the tate Treasurer and prescribing penalties" by prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey within and outside of said Basin empowering such Commission to enter upon lands structures and waters fixing the responsibility for damages resulting therefrom and making an appropriation to such Commission

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 692, entitled:

An Act to amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" by exempting therefrom appropriations made to land grant colleges of Pennsylvania.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 875, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolleys omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees an dmiscellaneous receipts making an appropriation and providing for refunds" by providing for a uniform maximum rate of speed for all vehicles.

The first section was read
On the question,
Will the House agree to the section?

BILL POSTPONED

Mr. FROST. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1053, entitled:

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwellings accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grant or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1054, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and or other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing any ambiguity as to the powers of a State public body wtih respect to long term agreements and changing definition of term "Housing Project"

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by reconstituting the State Planning Board and changing its functions

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act approved the twentieth day of May one thousand nine hunudred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all counuty or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by effecting a change in the years of employement on which pensions are based and by providing a method of paying service increments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1187, entitled:

An Act to further amend section one and to amend section five of article three and to add article twenty-six to the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by creating a Department of Licensing and Inspection authorizing the transfer to the said department of such licensing and inspection functions as city council may determine and requiring certain officers to file surety bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College to acquire certain tracts of land adjacent to Edinboro State Teachers College in Erie County Pennsylvania and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1260, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 135) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the part maintained on said land

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 181) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1287, entitled:

An Act to repeal the act approved the first day of May one thousand nine hundred thirteen (P. L. 131) entitled "An act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act" so far as the same relates to Delaware County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1304, entitled:

An Act for the protection of the public safety, relating to and regulating vehicles and tractors, the ownership, purchase, destruction, lease, rental and sale of certain vehicles, tractors and equipment, the operation thereof, and the use of the highways of this Commonwealth; providing for the licensing of operators and the registration of certain vehicles and tractors, the titling of certain vehicles, the issuance of certificates of title showing liens and encumbrances, and defining the legal effect thereof; imposing certain costs upon counties and certain duties or garage keepers; prescribing and limiting the powers and duties of the various political subdivisions and the officers thereof; imposing upon political subdivisions and owners liability for damages caused by the negligent operation of their motor vehicles and tractors, and requiring such owners and operators in certain cases to furnish proof of financial responsibility as defined in the act; providing for the suspension of licenses, operating privileges and registration for failure to pay certain damages, and for violations of the act; fixing penalties; and prescribing powers and procedures for the arrest and prosecution of offenders for the enforcement of the act and for civil actions for damages.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GREENWOOD. Mr. Speaker, I move that this bill be recommitted to the Committe on Motor Vehicles for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1307, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1308, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1309, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 103, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organizations defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive used of school property validating past actions and permitting appropriations by school districts to extra-curricular organizations of funds heretofore raised through the use of school property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 160, Printer's No. 40, and

Senate Bill No. 218, Printer's No. 148

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 221, entitled:

An Act to further amend section thirty-eight of the act approved the sevententh day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by changing certain allowances and expenses

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 245, Printer's No. 80, and

Senate Bill No. 246, Printer's No. 270

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 350, entitled:

An Act to amend section seven hunudred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for field trials

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act to further amend section ten of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by authorizing the Amvets and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 440, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" by furher prohibiting the peddling of labeled flowers of certain veterans' organizations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising ameding and consolidating the laws relating thereto" by authorizing the Amvets and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for out-patient and psychiatric clinical services, and establishing charges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and

second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the state department of welfare and the state department of public assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 561, Printer's No. 156, and

Senate Bill No. 565, Printer's No. 159

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 615, entitled:

An Act to repeal sections two seven and eight of the act approved the eighth day of March one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births marriages and deaths in the City of Philadelphia"

And said bill having been read at length the second time and agreed to ,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL PASSED OVER

There being no objection

House Bill No. 566, Printer's No. 486,

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 158, as follows:

An Act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any member of the police force employed by a political subdivision who has been a regularly appointive employe of any such political subdivision for a period of at least six months and who thereafter shall be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States shall have credited to his employment record for pension or retirment benefits all of the time spent by him in such military service during the continuance of such war or national emergency if such person returns to his employment within three months after his separation from the service

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boies,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost	Limper	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 228, as follows:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred sixty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2564 Deductions from State appropriations If any school district wherein a pupil resides who is entitled by law to attend an elementary school or a high school in another district neglects or refuses to pay any [such] tuition charge or sewer charge or sewer rental the Superintendent of Public Instruction is authorized to deduct from any moneys due any such district out of any State appropriation the amount due from such district to the district where the pupil attends and pay over said sum to the district entitled thereto

Section 2 Article twenty-five of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 2565 Sewer charge or rental districts fourth class When any school district of the fourth class receiving pupils from other districts is required by the city borough or township within which its school building or buildings are located or any municipality authority operating therein to pay a service charge for sewer connection or a sewer rental measured by the number of pupils attending such school or schools such receiving district shall include in its bill for tuition charge to each sending district and the sending district shall pay the amount of such per pupil sewer service charge or sewer rental for each pupil sent by the sending district Such charge shall be in addition to the tuition charge provided for by section two thousand five hundred sixty-two of the act to which this is an amendment in cases where pupils are sent and the tuition charges paid by the parents or other persons to such receiving districts the parents or other persons shall pay such per pupil sewer charge or sewer rental

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 280, Printer's No. 324

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 308, as follows:

An Act to quiet title to real etsate and to facilitate the alienation thereof creating a presumption of payment satisfaction or release and making unenforceable all mortgages judgments dowers recognizances annuities unpaid legacies ground rents liens charges or encumbrances decree or other obligation or instrument and correcting defects in title and making claims thereunder invalid by creating a presumption of release and satisfaction where such liens charges or encumbrances or defects of record arise occur exist or are dated more than thirty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrance or to correct or remedy a defect in title unless an action is instituted to enforce such lien charge or encumbrance as aforesaid against the present owners or action is taken to perfect title or to correct or remedy defects therein within one year after the effective date of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to quiet title to and to facilitate alienation conveyance transfer and sale of real estate in all cases in which under any proceeding in any court of record in this Commonwealth or under any deed last will and testament mortgage dower recognizance legacy annuity judgment ground rent decree or other obligation or instrument any money has been or may hereafter be charged against land payable presently or at a future time and the period of thirty years has elapsed including minority and disability or shall have elapsed after the principal of such encumbrance or charge has become or shall have become due and payable and where no due date is recited in such instrument then thirty years after the date of creation or date of such instrument and no action or proceeding shall have been instituted for the payment or collection of such charge or encumbrance as provided by law within said period of thirty years on account of such encumbrance or charge by the owner or owners of the land encumbered or charged therewith there shall be a conclusive presumption of payment release or satisfaction thereof and no such encumbrance or charge shall be effective or enforceable against any owner of real estate so encumbered or charged unless within one year of the effective date of this act a proceeding to enforce payment of or to preserve revive or continue such encumbrance or charge shall be instituted against the present owners of real estate encumbered or charged therewith as hereinafter provided

The thirty-year period shall include the period barring limitation of actions in favor of persons non compos mentis imprisoned femes covert or minors and shall be construed accordingly

Section 2 In all other cases not provided for in section one hereof in which any defect in title appears of record by reason of unrecorded deed or deeds break or breaks in chain of title making the same unmarketable arising occurring existing or dating more than sixty years prior to the filing of any proceeding under this act to remedy or correct such defect therein or to enforce any claim thereunder a conclusive presumption of marketability shall be created and no claim title or proceeding thereunder shall be valid or enforceable against any owner of real estate in the chain of title in which such defect in title appears of record unless within one year of the effective date of this act a proceeding to correct or remedy such defect in title shall be instituted by any person or persons claiming any such right or title against the present owners of record of real estate affected thereby in accordance with the provisions of this act

Section 3 Any such proceeding arising under the provisions of sections one and two of this act shall be (1) in all cases in which the encumbrance or charge is under a decree of orphans' court or by last will and testament dower or recognizance charged by said court by petition to the orphans' court in the county in which the major portion of the land is situate and (2) in all other cases by an action for the payment or enforcement of said encumbrance or charge as aforesaid or action to quiet title in the court of common pleas of the county in which the major portion of said land is situate

Section 4 Such petition to the orphans' court or complaint to the court of common pleas under any proceeding arising under this act shall set forth to the best of petitioner's or plaintiff's knowledge information and belief the following facts

(a) The character of the claim charge lien encumbrance or defect in title

(b) The term number date of record and proper volume and page of record of said claim charge encumbrance lien judgment or decree or the place of record where the defect in title appears

(c) The names of the real owners of the land affected or intended to be charged liened or encumbered thereby or of any one having an apparent interest therein together with the addresses of such person or persons to the extent that such addresses are known to the plaintiff or may have been ascertainable upon reasonable inquiry and all such persons shall be named parties defendant or respondent to the action or petition

(d) The location and a short description of the real property affected charged or intended to be charged with the payment of a particular lien debt encumbrance dower recognizance unpaid legacy or other such charge claim or defect in title

(e) Names of the debtors obligors and guarantors and any other persons directly or indirectly liable to the plaintiff or petitioner for the payment of said debt lien charge legacy or encumbrance who shall also be named as parties defendant or respondent to the action or petition

(f) An averment that plaintiff or petitioner does not know and after reasonable inquiry has been unable to ascertain the residence or business addresses of the other parties defendant or respondent

(g) A demand for payment or for compliance with the terms of any decree judgment lien or other encumbrance charge or right in or against the land

(h) All such other facts as may be pertinent or necessary under existing law

Section 5 The owner of any land charged with liens or encumbrances or subject to defects in title may institute a proceeding as provided by existing law against any person or persons having an apparent charge lien or encumbrance or apparent title or interest in or against land to compel such person or persons to enforce such claim or to perfect such title

Section 6 No decree or judgment of any court resulting from any proceeding under this act shall be valid or enforceable unless and until a transcript of such judgment or decree shall be filed in the office of the recorder of deeds of the country in which land affected thereby is located and properly indexed against the owners of record named defendants or respondents in the original complaint or petition or added thereto in the proceeding and such transcript shall be filed in the miscellaneous index or a special index provided therefor

Section 7 all acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act it is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembockl,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,

Bucchin,	Helm	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,
			Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 395, as follows:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other of such former spouse's interest in real estate which is held by them as tenants by the entireties and validating such conveyances formerly made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any husband and wife have heretofore acquired or hereafter shall acquire real estate as tenants by entireties and thereafter are divorced it shall be lawful for either former spouse to convey to the other without the joinder of the other his or her interest in such real estate so that the grantee thereof shall hold the same in fee simple freed from all right title and interest which the grantor thereof had therein as a tenant by the entireties

Section 2 All conveyances heretofore made by a divorced husband or wife to the other in such manner shall have the effect of vesting in the grantee thereof a fee simple estate therein freed from all right title and interest which the grantor thereof theretofor may have had as a tenant by the entireties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Green,	McGee,	Sax,
Beaver,	Greenwood,	McKinney,	Scanlon,
Bednarek,	Greer,	McMillen,	Schmidt,
Blair,	Guarnieri,	McNally,	Schuster,
Bloom,	Good,	Mihm,	Scott,
Boies,	Goodling,	Mikula,	Seyler,
Bomberger,	Graybill,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,
			Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 403, Printer's No. 231
House Bill No. 498, Printer's No. 296
House Bill No. 517, Printer's No. 435
House Bill No. 652, Printer's No. 167 and
House Bill No. 780, Printer's No. 375

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782, as follows:

An Act to amend section six hundred ninety-nine point four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) en-

titled "An act to consolidate amend and revise the penal laws of the Commonwealth" by permitting target shooting on Sundays

On the question,

Will the House agree to the bill on third reading?

Mr. KURTZ. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 699.4), page 3, line 5, by inserting after the word "Sundays" the following: "whether or not of a competitive character, except commercialized shooting."

The SPEAKER. Will the House give unanimous consent to the offering of the amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 839, as follows:

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employe retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" is hereby amended to read as follows

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at anytime thereafter

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. O.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,

Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House Bill No. 877, Printer's No. 376
House Bill No. 1051, Printer's No. 462 and
House Bill No. 1194, Printer's No. 423
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1223, as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fes and miscellaneous receipts making an appropriation and providing for refunds" by authorizing certain tow trailers to be attached to motor vehicles drawing other vehicles requiring service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(c) No vehicle except motor buses and fire department equipment shall exceed a total maximum length including any load thereon of three hundred ninety-six (396) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Motor buses shall not exceed a length of four hundred twenty (420) inches

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle Provided That a tow trailer not exceeding ten (10) feet in length may be attached to one motor vehicle for the purpose of towing another vehicle requiring service to which such tow trailer is also attached

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so atached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the patch of the drawing vehicle's wheels

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Grrenwood,	Mihm,	Scott,
Boies,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stank,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Orban,	Varner,
Costa,	Jennings,	Olsen,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,

Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,
			Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1294, Printer's No. 457

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations facts or circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section one thousand two hundred eight thereof a new section to read as follows

Section 1208.1 When Pleas and Payment of Fine etc Inadmissible as Evidence in Civil Cases A plea of guilty or nolo contendere or payment by any person charged with a violation of this act of the fine and costs prescribed for such violation after such a plea in any summary proceedings before a magistrate shall be inadmissible as evidence in every civil proceeding arising out of the same violation or under the same facts or circumstances

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Grrenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,
			Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 11, as follows:

An Act to amend section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1327 Compulsory school attendance Every child of compulsory school age having a legal residence in this Commonwealth as provided in this article and every migratory child of compulsory school age is required to attend a day school in which the subjects and activities prescribed by the State Council of Education are taught in the English language every parent guardian or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the State Council of Education are taught in the English language Such child or children shall attend such school continuously through the entire term during which the public elementary schools in their respective districts shall be in session or in cases of migratory children during the time the schools are in session in the districts in which such children are temporarily domiciled The financial responsibility for the education of such migratory children shall remain with the school district in which such migratory children are temporarily domiciled The certificate of any principal or teacher of a private school or of any institution for the education of children in which the subjects and activities prescribed by the State Council of Education are taught in the English language setting forth that the work of said school is in compliance with the provisions of this act shall be sufficient and satisfactory evidence thereof Regular daily instruction in the English language for the time herein required by a properly qualified private tutor shall be considered as complying with the provisions of this section if such instruction is satisfactory to the proper county or district superintendent of schools

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,

Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 60, as follows:

An Act to amend section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for reimbursement by the Commonwealth for transportation of pupils in case of consolidation of certain school districts with other districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred forty-one of the act approved the tenth day of March one thousand

nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

* * * * *

Section 2541 Payments on account of pupil transportation School districts shall be paid by the commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township and to merged or union school districts in which one or more such districts are a component part for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Teachers' College and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township and to merged or union school districts in which one or more such districts are a component part for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Pubic Instruction or enrolled in a regular class in which approved educational provisions are made for them

(4) To all school districts for pupils transported to and from approved consolidated elementary schools or approved consolidated junior high schools or approved joint consolidated schools or approved vocational district schools

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto by redefining consolidated school and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred five and clause (4) of section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 505 Establishment and maintenance of consolidated schools The board of directors of any school district may establish equip furnish and maintain consolidated schools formed by uniting two or more [public

elementary schools or two or more public elementary schools with the grades of other] public schools which prior to such union were maintained in separate buildings and after such union are maintained in one school organization taught by two or more teachers [consolidated schools may be either consolidated elementary schools made up of grades one to eight only or consolidated junior high schools being approved junior high schools constituted of grades seven to nine inclusive or seven to ten inclusive] the board of school directors may transport pupils to and from such schools as provided for by this act

The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment of consolidated and joint consolidated schools and to inspect and approve such schools

Section 2541 Payments on account of pupil transportation

* * * * *

Such payments for pupil transportation shall be made in the following cases

* * * * *

(4) To all school districts for pupils transported to and from approved consolidated [elementary schools or approved consolidated junior high] schools or approved joint consolidated schools or approved vocational district schools

4 Consolidated schools or joint consolidated schools or vocational district schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing therefor constitute approved consolidated schools or approved join consolidated schools or approved vocational district schools

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Stank,
Brown, H. S.,	Harris,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stimmel,
Brunner,	Heatherington,	Munley,	Stuart,
Bucchin,	Helm	Murray,	Swope,
Cadwalader,	Herman,	Musto,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
Frost,	Limper,	Robertson,	Speaker

NAYS—1

Spencer,

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act to amend section seven hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred fifty-one of the act pproved the tenth day of March one thousand nine undred forty-nine (Act No. 14) entitled "An act relating o the public school system including certain provisions pplicable as well to private and parochial schools amending revising consolidating and changing the laws relating ereto" is hereby amended to read as follows

Section 751 Work to be done under contract let on ids exception All construction reconstruction repairs r work of any nature including the introduction of eating ventilating or lighting systems upon any school uilding or upon any school property made by any school istrict where the entire cost value or amount of such onstruction reconstruction repairs or work including abor and material shall exceed three hundred dollars ($300) in school districts other than school districts of he first class and in school districts of the first class where such entire cost value shall exceed six hundred ollars ($600) shall be done under contract or contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids Provided That if due to an emergency a school plant or any part thereof becomes unusable [during the school term] competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

Section 2 The provisions of this act shall become

effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 68. as follows:

An Act to amend section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the management of joint schools or joint school departments by a joint school committee providing for the formation of such a committee and imposing duties and conferring powers upon the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as hereby amended to read as follows

Section 1707 Joint School Committee The boards of school directors establishing any joint school or department may supervise and direct its affairs [by meeting] jointly in the same manner as the affairs of [the school district] individual and school districts are managed or they may agree that the affairs of such joint school [except the purchasing of the necessary site and the employing and the fixing of the salary of the teacher or teachers may be delegated to a joint school committee to be composed of one or more members from each board establishing such joint school or department as may be agreed upon Where the management of such joint school or department is conferred upon such joint school committee every board of school directors of the several districts establishing such joint school or department shall annually during the month of June select one or more of its members who with the members chosen in like manner in the other districts shall be known as the joint school committee of such districts The committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally excepting such duties as are hereinbefore reserved to be exercised by the several boards meeting in joint session The joint school committee shall have no power to create any indebtedness that shall be binding upon such districts The joint boards or joint school committee shall organize annually by electing a president and secretary The expenses of maintaining a joint school or department shall be paid by warrant drawn on the treasurer of the joint school or department by the president and secretary of the joint board or school committee] or department may be managed by a joint school committee within the limits of the budget adopted by the joint board Where such management is delegated to a joint school committee every school board establishing joint schools or departments shall at the annual meeting select one or more of its members who with the members chosen in like manner in the other districts shall constitute the joint school committee This committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally The joint board and the joint school committee if authorized shall organize annually by electing a president and secretary and the expenses of maintaining the joint school or department shall be paid by warrant drawn on the joint board treasurer by the president and secretary of the joint board or the joint school committee

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 177, Printer's No. 305

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 232, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison Clinton County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following described tract of land situate in Allison Township Clinton County Pennsylvania

Beginning at an Iron Pin at the south east corner of Lot No 102 now owned by Charles Farwell being the northeast corner of Lot No 104 in the Lock Haven Extension and the point of beginning of description of parcel of land acquired from J. Franklin Long as recorded February 20 1933 Deed Book 120 Page 626 thence S 20° E along the west side of Second Avenue a distance of 50 feet to a point thence S 70° W a distance of 100 feet to an Iron Pin at the Southeast corner of Lot No 178 belonging to Helen H Byrol thence N 20° W along the easterly property line of Helen H Byrol a distance of 50 feet to an Iron Pin at the southwest corner of Lot No 103 belonging to Charles Farwell thence N 70° E along the southerly property line of Charles Farwell a distance of 100 feet to an Iron Pin the point of beginning Containing 0.1148 of an acre more or less

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,

Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,

Speaker.

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 351, as follows:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 868 Unlawful Use of Containers Bearing Owner's Name Whoever uses in the sale exchange transportation [or] delivery or preparation for sale of milk or cream or their products or of bread or any other bakery products or any other products any bottle jar vessel can box or other container of another upon which is stamped blown or engraved the name title or mark of the owner without the permission of the owner thereof is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding twenty-five dollars ($25) or undergo imprisonment for a period not exceeding one (1) month or both

Section 869 Unauthorized Use or Possession of Stamped Containers Whoever without the consent of the owner thereof sells or offers for sale any milk can butter tub or box bread box or other container used for the transportation of milk cream butter bread or other bakery products or any other products [or other produce] having the name [and residence] of the owner stamped thereon or [wilfully] detains for his own use or has in his possession for any cause any milk can butter tub or box bread box or any other container belonging to another without the consent of the owner thereof or wilfully removes obliterates mutilates or otherwise destroys any lettering or plate containing the name and residence of such owner or owners of any milk can butter tub or box bread box or container used for the transportation or handling of milk cream butter bread or other bakery products or any other products [or other produce] without the consent of the owner is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or undergo imprisonment not exceeding thirty (30) days or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boies,	Greer,	Mikula,	Seyler,
Bomberger,	Guthrie,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. H.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,

Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 404, Printer's No. 181

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 428, as follows:

An Act making the title acquired by a political subdivision on condemnation a fee simple title except in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any political subdivision of this Commonwealth shall hereafter in the exercise of the power of eminent domain acquire by appropriation and condemnation any real estate the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless prohibited in the ordinance or resolution authorizing the appropriation and condemnation thereof

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boies,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 523, as follows:

An Act to further amend sections ten and fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that certain claims may be signed by or have stamped thereon the facsimile signature of the chief of the delinquent tax bureau

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L, 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 354) is hereby further amended to read as follows

Section 10 Said claim shall set forth

1 The name of the municipality by which filed

2 The name of the owner of the property against which it is filed

3 A description of the property against which it is filed

4 The authority under or by virtue of which the tax was levied or the work was done

5 The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done

6 If filed to the use of a contractor the date of and parties to the contract for doing said work and

7 In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant [except in counties having a controller claims for county taxes levies or assessments shall be signed by or have stamped thereon a facsimile signature of the controller] or the chief of its delinquent tax

bureau and in the case of a use-plaintiff must be accompanied by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

Section 2 Section fifteen of said act as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 522) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now ..... the claimant by ..... its solicitor [or controller] or by the chief of its delinquent tax bureau suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant [except in counties having a controller in which case as to county taxes it shall be signed by or have stamped thereon a facsimile signature of the controller] or the chief of its delinquent tax bureau The prothonotary shall docket and index the suggestion and averments directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Gaffney,	Loftus,	Rose,
Altshuler,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg,
			Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 551, as follows:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for

the escheat for the use of the municipality of any such moneys unclaimed within seven years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Municipal Unclaimed Moneys Act"

Section 2 Definitions The following words and phrases whenever used in this act shall have the following meanings unless the context clearly indicates otherwise

(a) "Municipality" a county a city borough incorporated town township school district and county institution district The word does not include a city of the first class a county of the first class or a city institution district

(b) "Depository" a bank banking institution or trust company in the Commonwealth designated in accordance with law for the deposit of municipal funds

(c) "Municipal Officer" a person elected or appointed to hold an office in a municipality which receives prepayment of indemnities holds in escrow or in any manner handles moneys to some part or all of which other individuals are entitled

Section 3 Deposits to Be in Name of Municipality All moneys of a municipality and all moneys paid into a municipal treasury for any purpose shall be deposited in a proper depository in an account or accounts titled in the name of the municiplaity and not in the name of the municipal treasurer or of any other individual

Section 4 Checks Not Presented for Payment Escheat The municipal treasurer as of the first day of July one thousand nine hundred fifty and on the first day of July of each year thereafter shall take credit on his books and calculate as cash to the credit of the municipality all amounts held in municipal depositories or otherwise for the payment of checks which on said dates had been issued for a period of two years or more and which had not been presented for payment

Upon the presentation for payment of any check to the municipal treasurer which is more than two years and not more than seven years old the municipal treasurer shall requisition and issue a replacement check to the person entitled thereto

No replacement check shall hereafter be issued for the payment of any claim where the original check has not been presented to the municipal treasurer for payment within a period of seven years from the date of issue All claims against the municipality for which checks have been outstanding for a period of seven years or more shall be considered paid The period of seven years is hereby declared to be the longest period of time during which a check issued by the municipal treasurer may be honored All sums of money held or appropriated for the payment of such checks not presented within said period are hereby escheated to the Commonwealth for the use of the municipality

Section 5 Unclaimed Moneys Received by Municipal Officers Escheat (a) Whenever any moneys shall have been paid over to any municipal officer which do not belong to such municipal officer and no provision is made by law for the payment over of such moneys into the municipal treasury if no claim for the payment over of such moneys is made by the party legally entitled thereto within a period of one year after the same was paid to the municipal officer or before the expiration of the term of office of such municipal officer regardless of the time the same came into his possession then it shall be the duty of the municipal officer upon the expiration of said one year period or upon the expiration of his term of office as the case may be to pay all of such moneys together with any interest earnings thereon over to the municipal treasurer for safekeeping and to furnish to the municipal treasurer a statement of the source from which such moneys were derived and the name of the person or persons if known who are legally entitled to such moneys

(b) A copy of such statement shall also be filed with the controller in those municipalities where the office of controller has been established Such moneys shall be deposited in fund separate and apart from all other public moneys and shall not be paid out for any purpose whatever except as provided by this section

The receipt issued by the municipal treasurer showing the payment over of such moneys shall fully discharge the municipal officer or person making such payment and his surety from all liability whatsoever for the payment of such moneys to the person or persons legally entitled thereto

(c) The provisions of this section shall apply to all moneys and the interest earnings thereon in the hands of any municipal officer for the period of one year and more prior to the effective date of this act The provisions of this section shall also apply to all persons whose term of office as municipal officers shall have expired prior to the effective date of this act and who may still retain any such moneys in their possession All such persons shall be required to pay over to the municipal treasurer all such unclaimed moneys together with the interest earnings thereon within sixty days after this act becomes effective and shall furnish to the municipal treasurer and controller where the office of controller has been established a statement as in this section provided

(d) Hereafter no person shall after the expiration of his term of office as a municipal officer be entitled to receive payment of any moneys arising from official business transacted in the municipal office which he occupied but all such moneys shall be paid over only to his successor in office who shall become responsible therefor and shall be required to pay such moneys into the municipal treasury as provided in this section No municipal officer shall upon the expiration of his term of office remove from the municipal office which he occupied any official books papers records or documents whatever but the same shall be turned over to his successor in office

(e) When any money is paid over to the municipal treasury under the provisions of this section the person or persons legally entitled thereto if known shall be notified to appear and claim the same If claim is made and the municipal controller in municipalities where there is a controller or the municipal treasurer in municipalities where there is no controller is satisfied that the claim is proper the amount thereof shall be paid from the municipal treasury This provision shall not preclude any claimant from prosecuting any action at law or in equity to have his rights determined by judicial process Any judgment or order of a court of competent jurisdiction so obtained shall be paid out of the municipal treasury

(f) All moneys paid into the municipal treasury in acordance with the provisions of this section and held for the benefit of any claimant or claimants shall if no claim therefor is made within seven years from the time the same was paid into the municipal treasury be escheated to the Commonwealth for the use of the municipality

Section 6 Procedure on Escheat At least six months before any escheat authorized by section four or section five of this act shall take place the municipal treasurer shall notify by mail the person if known entitled to any of such moneys of such contemplated escheat and shall publish once a week for three consecutive weeks in two newspapers of general circulation published in the county and also in the legal newspaper if any published in said county and designated by the rules of court for the publication of legal notices a true and accurate statement of such proposed escheat stating the amount to be escheated and generally describing the sources from which such moneys were derived If it shall appear that claim for any such moneys was not made within said period of seven years because of pending litigation then payment of any such claim shall be made out of the municipal treasury if such claim shall be presented within one year after the final determination of said litigation

So much of any provision of any act of Assembly relating to escheats as provides for a reward to informers of an escheat shall not apply to any proceedings to escheat any moneys referred to in section four or section five of this act but in other respects the proceedings to escheat such money shall be governed by the laws relating to

escheats now or hereafter in force in like manner as if the municipal treasurer were an officer of the court of common pleas of the proper county

Section 7 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, W. B.,
Bower,	Hagerty,	Mills,	Snider,
Brandon,	Hall,	Mintess,	Sollenberger,
Breisch,	Hamilton,	Monroe,	Spencer,
Brice,	Harney,	Moore, C. E.,	Smith, C. C.,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
Frost,	Limper,	Robertson,	Sorg, Speaker

NAYS—0

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Salary of President of Town Council Fixed by Ordinance The salary of the president of the town council of incorporated towns may be fixed by ordinance to be paid from the town treasury in monthly or semi-monthly installments on warrants authorized by the council The salary or compensation of a president of a town council shall not be increased or decreased oftener than once in two years

Section 2 Salary of President of Town Council Limited The salary of a president of a town council shall not exceed per annum one hundred dollars ($100) per thousand for the first ten thousand (10,000) population or fraction thereof the population to be determined by the last United States decennial census or by two and one half (2½) times the number of registered voters in the town as shown by the last registration thereof whichever may be the greater Provided That in any town whose population shall exceed ten thousand (10,000) the town council may by ordinance fix the salary of the president of the town council at any sum not exceeding two thousand dollars ($2000) and in towns whose population shall exceed twenty thousand (20,000) the town council may by ordinance fix the salary of the president of the town council at any sum not exceeding three thousand dollars ($3000)

Section 3 Salaried President of Town Council Not to Receive Fees Any salary paid pursuant to an ordinance shall be in lieu of all costs and fees allowed a president of the town council whether acting as president of the town council or justice of the peace and in such case the costs and fees shall be taxed and collected by the president of the town council and turned into the town treasury

Section 4 President of Town Council to Collect Costs and Fees In all cases where a president of the town council is given the jurisdiction of a justice of the peace he shall collect the same costs and fees as is charged by justices of the peace for like services and in all other cases he may collect such costs and fees as are allowed by law to a justice of the peace for services of a similar character He shall procure a docket in book or loose-leaf form wherein he shall enter all cases and charges which docket shall be open to public inspection at reasonable times

Section 5 Salary of Members of Town Council (a) The councilmen of any incorporated town may receive compensation to be fixed by ordinance at any time and from time to time as follows (1) in towns whose population is seven hundred fifty (750) or less a maximum of five dollars ($5) a month (2) in towns whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500) a maximum of ten dollars ($10) a month (3) in towns whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500) a maximum of fifteen ($15) dollars a month (4) in towns whose population is more than twenty-five hundred (2500) and not more than five thousand (5000) a maximum of twenty dollars ($20) a month (5) in towns whose population is more than five thousand (5000) a maximum of twenty-five dollars ($25) a month

(b) The population shall be determined by the last United States decennial census or by two and one-half (2½) times the number of registered voters in the town as shown by the last registration thereof whichever may be the greater

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Altshuler,	Frost,	Loftus,	Rosen,
Amarando,	Gaffney,	Lovett,	Rovansek,
Andrews,	Gallagher,	Madigan,	Royer,
Bane,	George,	McCormack,	Sarraf,
Barkdoll,	Gibson,	McCullough,	Sax,
Baumunk,	Glembocki,	McGee,	Scanlon,
Beaver,	Good,	McKinney,	Schmidt,
Bednarek,	Goodling,	McMillen,	Schuster,
Blair,	Graybill,	McNally,	Scott,
Bloom,	Green,	Mihm,	Seyler,
Boles,	Greenwood,	Mikula,	Shoemaker,
Bomberger,	Greer,	Miller,	Smith, C. C.,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Brice,	Hamilton,	Moore, C. E.,	Stank,
Brown, H. S.,	Harney,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stimmel,
Brunner,	Heatherington,	Munley,	Stuart,
Bucchin,	Helm,	Murray,	Swope,
Cadwalader,	Herman,	Musto,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Frank	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—2

Harris	Rose,		

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 604, as follows:

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Except where otherwise specifically provided by statute every ordinance or resolution of an incorporated town of a legislative character shall be published once in one newspaper of general circulation in the town

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

PARLIAMENTARY INQUIRY

Mr. MORAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. MORAN. Mr. Speaker, I would like to know if Senate Bill 603 and Senate Bill 604 affect only one municipality in Pennsylvania.

The SPEAKER. Is there any member of the House who can inform the gentleman from Allegheny, Mr. Moran, in regard to his question concerning the provisions of Senate Bills 603 and 604?

Mr. BRUNNER. Mr. Speaker, may I inform the gentleman that to the best of my knowledge there is but one incorporated town in the state of Pennsylvania, and that is Bloomsburg.

Mr. MORAN. Mr. Speaker, the gentleman has not answered my question. I know there is only one but I am asking him if these two bills only affect one town.

Mr. BRUNNER. Mr. Speaker, may I reply to the gentleman by saying that they only affect this town.

Mr. MORAN. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Altshuler,	Gaffney,	Loftus,	Rosen,
Amarando,	Gallagher,	Lovett,	Rovansek,
Andrews,	George,	Madigan,	Royer,
Bane,	Gibson,	McCormack,	Sarraf,
Barkdoll,	Glembocki,	McCullough,	Sax,
Baumunk,	Good,	McGee,	Scanlon,
Beaver,	Goodling,	McKinney,	Schmidt,
Bednarek,	Graybill,	McMillen,	Schuster,
Blair,	Green,	McNally,	Scott,
Bloom,	Greenwood,	Mihm,	Seyler,
Boles,	Greer,	Mikula,	Shoemaker,
Bomberger,	Guarnieri,	Miller,	Smith, C. C.,
Boorse,	Guthrie,	Milliken,	Smith, W. B.,
Bower,	Hagerty,	Mills,	Snider,
Brandon,	Hall,	Mintess,	Sollenberger,
Breisch,	Hamilton,	Monroe,	Spencer,
Brice,	Harney,	Moore, C. E.,	Stank,
Brown, H. S.,	Harris,	Moore, H. A.,	Sternberg,
Brown, W. E.,	Haudenshield,	Moran,	Stimmel,
Brunner,	Heatherington,	Munley,	Stuart,
Bucchin,	Helm,	Murray,	Swope,
Cadwalader,	Herman,	Musto,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,

Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
Frost,	Limper,	Robertson,	Speaker

NAYS—1

Rose,

NOT VOTING—4

Breth,	Fox,	Krise,	Nagel.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, can any member be recorded except in his seat?

The SPEAKER. The Chair understands that a member cannot be recorded who was out of the House when the roll was called.

Mr. ANDREWS. Mr. Speaker, must he not vote in his seat?

The SPEAKER. The Chair is very reluctant to have negative votes recorded, particularly from the Republican side by those of the minority who are not in their seats. The Chair has every desire to sustain the point of order of the gentleman from Cambria. Reluctantly, he can not do so.

Mr. CHARLES C. SMITH. Mr. Speaker, I would like to inquire of the gentleman from Philadelphia whether he votes from his seat or with his head.

The SPEAKER. The personal reflection of the gentleman from Philadelphia, Mr. Smith is out of order.

Mr. ROSE. Mr. Speaker, voting on the Republican side, I vote from my seat. When I vote on the Democratic side I vote with my head.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 795.

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 882.

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes.

HOUSE BILL No. 909.

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled "An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties" empowering salary board to fix the number of deputies and their salaries

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOMPKINS asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 220.

An Act making an appropriation to the Department of Military Affairs for the payment of certain claims against the Commonwealth and that Department

Referred to the Committee on Appropriations.

SENATE BILL No. 296.

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts and other public agencies furnishing assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 349.

An Act establishing within the limits of Philadelphia, the Eastern Pennsylvania Psychiatric Institute, as a State institution; providing for a board of trustees and a medical advisory board therefor; conferring powers and imposing duties upon the Department of Property and Supplies, the Department of Welfare, the board of trustees and the medical advisory board.

Referred to the Committee on Welfare.

SENATE BILL No. 448.

An Act to further amend clause (b) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting aged persons who are inmates of public institutions to receive assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 463.

An Act authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 522.

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to erect and maintain, a bridge over the Susquehanna River, connecting State Highway Route No. 708 in Cumberland County with the system of State highways in Dauphin County, and to provide the necessary approaches and connections with such State highways; empowering counties to pay certain damages; and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 546.

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class.

Referred to the Committee on Highways.

SENATE BILL No. 666.

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 683.

An Act to amend subsection A of section three point one and to add section three point two to the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain

and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing for joinder in existing authorities by additional municipalities; and making provision for the amendement of articles of incorporation by authority.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. TOMPKINS, JOHNSON and JENNINGS.

(Concurrent) RESOLUTION No. 48.

In the House of Representatives, March 31, 1949.

Whereas, The consolidation or merger of school districts in Pennsylvania is a vital question which is now uppermost in the minds of the people of Pennsylvania; and

Whereas, The General Assembly of Pennsylvania in 1947 passed an act approved June 21, 1947, (P. L. 867), (Act No. 361), which required the County Boards of School Directors on or before July 1, 1948, to file proposed plans forming merged or union school districts in the several counties of Pennsylvania, the plans to be approved by the State Council on Education at a time, when in their discretion they might choose to do so; and

Whereas, This act created a great deal of confusion, misunderstanding and consternation among the people of the Commonwealth and focused attention upon the fact that Pennsylvania has no plan or set of rules and regulations that the various school boards or the people might study in order to determine the wisdom or advisability of forming merged or union school districts; now therefore be it

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to investigate and study the problem of the joinder, merger or consolidation of school districts in Pennsylvania and to determine the following:

(1) What the ideal consolidated or merged school districts should be;
(2) the minimum number of pupils that such a district should have;
(3) the type of over-all program such district should offer;
(4) the number of teachers such a district should require per pupil;
(5) the type of school plant and the minimum and maximum expenditure;
(6) the manner of payment for such school plant and equipment and the participation in the cost by the local districts and the Commonwealth;
(7) equalization of tax assessments within the merged or consolidated district, and
(8) such other facts pertinent hereto including transportation so as to properly inform the people and the school boards on this very vital problem, and be it further

Resolved, That the said Commission shall report its findings and conclusions to the next regular Session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations.

Referred to the Committee on Rules.

MEMBER CONGRATULATED

The SPEAKER. The Chair at this time heartily concongratulates the gentleman from Dauphin, Mr. Frank on his new commission as Brigadier General.

Mr. FRANK. Mr. Speaker, I thank you very much for for your good wishes. I wish I had some of you sometimes to help me with the problems that now and then concern a general officer. I thank you very much.

ADJOURNMENT

Mr. FRANK. Mr. Speaker, I move that this House do now adjourn until Monday, April 4, 1949, at 4:30 p. m.

The motion was agreed to, and (at 12:35 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., MONDAY, APRIL 4, 1949. No. 39.

SENATE

MONDAY, April 4, 1949

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. Father ROY C. KEFFER offered the following prayer:

Direct, O Lord, we beseech Thee, all our actions by Thy holy inspirations, and carry them on by Thy gracious assistance, that every prayer and work of ours may always begin by Thee, and through Thee be happily ended, through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal approved.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Schuylkill, Mr. Wagner, to preside.

The PRESIDING OFFICER (Paul L. Wagner) in the Chair.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MIFFLIN COUNTY

John D. Tyson (Republican), The Standard Steel Works Division of the Baldwin Locomotive Works, Burnham, Mifflin County, to serve until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

WESTMORELAND COUNTY

Clyde S. Waugaman (Republican), 426 Franklin Avenue, Vandergrift, Westmoreland County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice Robert M. Withington, Vandergrift, resigned.

JAMES H. DUFF.

ASSOCIATE JUDGE COUNTY OF PIKE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable. the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gaylord N. Carpenter, Bushkill, Pike County, for appointment as Asociate Judge in and for the County of Pike, until the first Monday of January, 1950, vice Amos Gregory, deceased.

JAMES H. DUFF.

MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Kelly, President, Philadelphia Chamber of Commerce, Philadelphia, Philadelphia County, for appointment as a Member of the Advisory Hospital Council, to serve until November 18, 1950. and until his successor is appointed and qualified, vice Dr. Thomas S. Gates, Philadelphia, deceased.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. LORD, JR. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 4, 1949.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

ADAMS COUNTY

Robert M. Smith, Gettysburg.

ALLEGHENY COUNTY

G. B. Haines, Snowden Twp., Pittsburgh Coal Co., Library.
Charles W. Trich, Jr., McKeesport.

BEAVER COUNTY

Irvin G. Hetzler, Rochester.

BRADFORD COUNTY

Harold F. Peterson, Sayre.

CAMBRIA COUNTY

Donald J. Perry, Johnstown.
Miss Dorothy Virginia Wisor, Johnstown.

CRAWFORD COUNTY

Mrs. Geraldine I. Kearney, Summit Twp., Conneaut Lake.
Mrs. Vera M. Lewis, Titusville.

ERIE COUNTY

Robert N. Stephenson, Erie.

DAUPHIN COUNTY

Mrs. Eva M. Tritt, Harrisburg.

FAYETTE COUNTY

Miss Carolyn C. Festog, Uniontown.
Frank E. Koterba, German Twp., Hibbs.

LACKAWANNA COUNTY

Mrs Hazel Miles, Clarks Summit.

LEHIGH COUNTY

Mark Runyon Bittner, Allentown.

LUZERNE COUNTY

Richard A. Saul, Wilkes-Barre.

MONROE COUNTY

Kennard Lewis, East Stroudsburg.

MONTGOMERY COUNTY

J. Raymond Corrigan, Norristown.
Samuel K. Freed, Lansdale.
Stanley L. Jones, New Hanover Twp., Green Lane.
Edwin J. Krane, Whitemarsh Twp., Lafayette Hill.

PHILADELPHIA COUNTY

Edward W. Bosta, Rm. 3038, United States Court House.
Mrs. Inez Widamen Brown, 2533 W. Columbia Ave. (21)
Mrs. Harriet M. Costello, 1125 Spruce St.
Myer Schwartz, Tulip & Decatur Sts. (36)
Mrs. Esther M. Walter, 113 Chestnut St. (6)

SNYDER COUNTY

Mrs. Irene Fenstermacher, Middleburg.

WAYNE COUNTY

Robert A. Samson, Lake Twp., Lake Ariel.

WESTMORELAND COUNTY

Americo S. Durbiano, Jeannette.

YORK COUNTY

Kenneth R. Sellers, York.

To compute from dates set opposite their names:

MONTGOMERY COUNTY

A. Archer Cross, Lower Merion Twp., Bala-Cynwyd. April 5, 1949.
Miss Z. A. Robinett, Lower Merion Twp., Bala-Cynwyd, April 5, 1949.

LUZERNE COUNTY

Miss Bessie A. Thomas, Wilkes-Barre, April 9, 1949.

PHILADELPHIA COUNTY

Abram M. Singer, 4723 Whitaker Ave., April 9, 1949.

SCHUYLKILL COUNTY

Mrs. M. Evelyn O'Donnell Geydos, Coaldale, April 11, 1949.

WESTMORELAND COUNTY

C. L. Spence, Sr., Mount Pleasant Twp., Mount Pleasant, April 11, 1949.

ALLEGHENY COUNTY

Ross M. Blair, Pittsburgh, 434 Blvd of Allies (19), April 16, 1949.
Miss Eleanor G. Schadler, Pittsburgh, 5315 Baum Blvd. (24), April 16, 1949.
Mrs. Emma C. Wright, West View, April 16, 1949.

CUMBERLAND COUNTY

L. E. Eppley, Carlisle, April 16, 1949.

LANCASTER COUNTY

Miss Beula G. Sweet, Lancaster, April 16, 1949.

PHILADELPHIA COUNTY

Thomas J. Burke, 1804 Finance Bldg., April 16, 1949.
Harvey G. Eshleman, 5337 Greene St. (44), April 16, 1949.
Nathan Goldsmith, 615 Snyder Ave. (48), April 16, 1949.
Charles J. W. Kreuzer, 505 W. Tabor Rd. (20), April 16, 1949.
James J. Powers, 1347 Jerome St. (40), April 16, 1949.

WESTMORELAND COUNTY

Glenn G. Martin, Jr., Jeannette, April 16, 1949.

ALLEGHENY COUNTY

Mrs. Margaret Butler Bucklad, Pittsburgh, 1421 Beaver N. S. (12), April 17, 1949.
Phillip Jacobson, Pittsburgh, 900 E. Saw Mill Run Blvd. (26), April 17, 1949.
Miss Bessie L. McGratty, Pittsburgh, 356 Frick Annex Bldg., April 17, 1949.

CRAWFORD COUNTY

Francis E. Kirkpatrick, Meadville, April 17, 1949.

FAYETTE COUNTY

M. F. Smeach, Brownsville, April 17, 1949.

LACKAWANNA COUNTY

Miss Ethel P. Becker, Scranton, April 17, 1949.
Clayton E. Sebring, Scranton, April 17, 1949.

LYCOMING COUNTY

Miss Wilma A. Worthington, Williamsport, April 17, 1949.

PHILADELPHIA COUNTY

Mrs. Dora L. Barson, 2204 Walnut St. (3), April 17, 1949.
Lewis J. Burns, 717 Chestnut St., April 17, 1949.
Mrs. Alba F. Dupont, 123 S. Broad St. (9), April 17, 1949.
Miss Catharine Lee, 1201 Chestnut St., April 17, 1949.
Mrs. E. Finch Morris, 1815 Christian St., April 17, 1949.
Kemper P. Muench, 847 N. Ringgold St., April 17, 1949.
Alfred H. Pfeffer, 502 N. 19th St. (30), April 17, 1949.

SCHUYLKILL COUNTY

Miss Mary C. Dauck, Ashland, April 17, 1949.

ALLEGHENY COUNTY

Mrs. Mary Fusca, Pittsburgh, 511 Bakewell Bldg., April 18, 1949.

COLUMBIA COUNTY

Chester A. Blass, Locust Twp., Catawissa, April 18, 1949.

INDIANA COUNTY

John H. Frampton, Indiana, April 18, 1949.

LACKAWANNA COUNTY

Miss Ethel M. Wilkins, Scranton, April 18, 1949.

LANCASTER COUNTY

Miss Miriam C. Hess, Lancaster, April 18, 1949.

McKEAN COUNTY

Miss Mary Hanlon, Port Allegany, April 18, 1949.

MERCER COUNTY

Miss Helen Guyton, Stoneboro, April 18, 1949.

PHILADELPHIA COUNTY

Alexander Ehrlich, 6th & Spring Garden Sts., April 18, 1949.
Ned L. Hirsh, 1420 Walnut St. (2), April 18, 1949.
Abraham Katz, 439 E. Wyoming Ave., April 18, 1949.
Samuel Kivitz, 2401 N. 15th St. (32), April 18, 1949.

SUSQUEHANNA COUNTY

B. P. Leslie, Susquehanna Depot, April 18, 1949.

WESTMORELAND COUNTY

R. Grey Smith, Suterville, April 18, 1949.

ALLEGHENY COUNTY

Frank X. Aigner, Pittsburgh, 4401 Liberty Ave. (24), April 19, 1949.

CAMBRIA COUNTY

Miss Dorothy I. Miller, Johnstown, April 19, 1949.

CENTRE COUNTY

Mrs. Martha L. Ream, State College, April 19, 1949.

PHILADELPHIA COUNTY

Geo. H. Bickley, 5310 Rising Sun Ave., April 19, 1949.
Mrs. Lydia H. Dau, 5700 N. Broad St., April 19, 1949.

JAMES H. DUFF.

A motion was made by Mr. LORD, JR., and Mr. WALKER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 158, entitled:

An Act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 228, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by requiring school districts sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis, to pay to the receiving district such charge or rental for each pupil sent.

Which was committed to the Committee on Education.

House Bill No. 308, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a presumption of payment satisfaction or release and making unenforceable all mortgages judgments dowers recognizances annuities unpaid legacies ground rents liens charges or encumbrances decree or other obligation or instrument and correcting defects in title and making claims thereunder invalid by creating a presumption of release and extinguishment where such liens charges or encumbrances or defects of record arise occur exist or are dated more than thirty years prior to the time of the institution of any proceeding hereunder to enfroce payment perfect revive or continue the aforesaid lien charge or encumbrance or to correct or remedy a defect in title unless an action is instituted to enforce euch lien charge or encumbrance as aforesaid against the present owners or action is taken to perfect title to or to correct or remedy defects therein within one year after the effective date of this act

Which was committed to the Committee on Judiciary General.

House Bill No. 395, entitled:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entireties; and validating such conveyances formerly made.

Which was committed to the Committee on Judiciary General.

House Bill No. 839, entitled:

An Act to amend section twelve of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1265), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by providing for the right to designate beneficiaries after the time of retirement.

Which was committed to the Committee on Local Government.

House Bill No. 1223, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing certain tow trailers to be attached to motor vehicles drawing other vehicles requiring service.

Which was committed to the Committee on Highways.

House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subjtct matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible are evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL NO. 11

He also returned to the Senate, Senate Bill No. 11, entitled:

An Act to amend section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 60.

He also returned to the Senate, Senate Bill No. 60, entitled:

An Act to amend section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for reimbursement by the Commonwealth for transportation of pupils in case of consolidation of certain school districts with other districts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 61.

He also returned to the Senate, Senate Bill No. 61, entitled:

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by redefining consolidated school and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 66.

He also returned to the Senate, Senate Bill No. 66, entitled:

An Act to amend section seven hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 68.

He also returned to the Senate, Senate Bill No. 68, entitled:

An Act to amend section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and paroing the laws relating thereto" by authorizing the manchial schools amending revising consolidating and changagement of joint schools or joint school departments by a joint school committee providing for the formation of such a committee and imposing duties and conferring powers upon the same.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 232.

He also returned to the Senate, Senate Bill No. 232, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison Clinton County Pennsylvania with the approval of the Governor

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 351.

He also returned to the Senate, Senate Bill No. 351, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 428.

He also returned to the Senate, Senate Bill No. 428, entitled:

An Act making the title acquired by a political subdivision on condemnation a fee simple title, except in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 523.

He also returned to the Senate, Senate Bill No. 523, entitled:

An Act to further amend sections ten and fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that certain claims may be signed by or have stamped thereon the facsimile signature of the chief of the delinquent tax bureau

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 551.

He also returned to the Senate, Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities; providing for the title of accounts of moneys placed in municipal depositories, the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more, and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue; providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year, for the presenting of claims to such moneys by the persons legally entitled thereto, and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 603.

He also reurned to the Senate, Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns, at the discretion of the town council.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 604.

He also returned to the Senate, Senate Bill No. 604, entitled:

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns.

with the information that the House has passed the same without amendments.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and sonsent of the Senate the following persons for appointment as Members of the Board of Trustees of Pennhurst State School, for terms of four years, and until their successors are qualified:

Guy W. Knauer, 343 Price Street, West Chester, Chester County. (Reappointment)

I. DeVault Chrisman, R. D. 2, Elverson, Chester County. (Reappointment)

Claude B. Wagoner, Cedar and Chestnut Street, Spring City, Chester County, (Reappointment).

Ralph W. Ralston, 21 South Main Street, Pottstown, Chester County. (Reappointment)

Mrs. Margaret W. Latshaw, Arch Street, Spring City, Chester County. (Reappointment)

Frank W. Shalkop, Trappe, Collegeville P. O., Montgomery County. (Reappointment)

Mrs. Robina Ewing, 100 Wartmouth Avenue, Swarthmore, Delaware County, vice Mrs. Hazel B. Trimble, Wayne, resigned.

JAMES H. DUFF.

MEMBERS OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Philadelphia County Board of Assistance:

Charles Amodei (Democrat), 6521 North 11th Street, Philadelphia, Philadelphia County, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Adolph Woll, Jr., Philadelphia, resigned.

J. H. Whitebook (Republican), 6433 North Broad Street, Philadelphia, Philadelphia County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Mrs. Claire Sylk, Philadelphia, resigned.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George F. Case, Troy, Bradford County, for reappointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. HARE, from the Committee on Education reported as amended, Senate Bill No. 718, entitled:

An Act to add section five hundred twenty-two to the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board; imposing duties on the Department of Public Instruction; and making an appropriation.

He also, from the Committee on Elections, reported as amended, House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the number of signatures required on nominating petitions of associate judges, unlearned in the law.

He also, from the Committee on Elections, reported as committed, House Bill No. 900, entitled:

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by clarifying provisions for payment of compensation of constables and their deputies.

BILLS INTRODUCED AND REFERRED

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 831, entitled:

An Act making inspection certificates relating to fresh fruits and vegetables issued pursuant to regulatory laws of the United States or in cooperation with the Pennsylvania Department of Agriculture, admissible in all courts of this Commonwealth as prima facie evidence of the truth of the statements therein contained.

Which was committed to the Committee on Agriculture.

Messrs. LANE and HALUSKA read in place and presented to the Chair Senate Bill No. 832, entitled:

An Act to regulate persons engaged in the business of selling liquid fuels; authorizing the Public Utility Commission to administer and enforce the provisions of this act; and imposing penalties.

Which was committed to the Committee on Corporations.

They also read in place and presented to the Chair Senate Bill No. 833, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further defining operator, superintendent, approved safety lamp, and approved electric lamp, imposing duties on the Bureau of Mines, requiring certain certification for superintendents, foremen, and fire bosses, further regulating assistants to the mine foreman; regulating construction of safety chambers and other safety features of mines; requiring shot firers to have an assistant, prescribing the minimum quantity of air in mines, regulating use of machines; regulating use of electric type locomotives in gaseous mines; prohibiting damming of water in any mine; requiring use of ambulance; prohibiting horse or mule stables; regulating oiling and greasing of mobile units and locomotives; prohibiting use of open lamps or explosive oil for lighting purposes in any mine; requiring examination for dangerous conditions in mines; prescribing speeds for locomotives

Which was committed to the Committee on Mines and Mining.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 835, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

Which was committed to the Committee on Insurance.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the Democratic Party is committed to Senatorial apportionment and the apportionment of the House, and in view of the fact that it is too late now to introduce a bill for the apportionment of the House, I have been requested to introduce a bill in the Senate, on behalf of my colleagues from Philadelphia, Senator DiSilvestro and Senator Rosenfeld.

Therefore, Mr. President, I read in place and present to the Chair the following bill.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL, DiSILVESTRO and ROSENFELD read in place and presented to the Chair Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act approved the tenth day of May, one thousand nine hundred twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," by changing certain districts in Philadelphia.

Which was committed to the Committee on Elections.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 837, netitled:

An Act regulating auction sales and auctioneers; setting their commissions; providing for the appointment and bonding of auctioneers; conferring powers on the Department of Public Instruction; providing for records to be kept by auctioneers, and the inspection of such records; and provdiing penalties.

Which was committed to the Committee on Education.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 838, entitled:

An Act making an appropriation to the Trustees of the Mercy Douglass Hospital and School of Nursing, Philadelphia, Pennsylvania, for the construction and equipping, with the cooperation and advice of the Trustees of the University of Pennsylvania Hospital, Philadelphia, Pennsylvania, of an interracial hospital, offering equal opportunity to persons of every race and color for staff work and treatment.

Which was committed to the Committee on Labor and Industry.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 839, entitled:

An Act to further amend sections seven hundred four and eight hundred seven of the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for a hearing in all cases relating to service ratings and giving employes the right to be represented at hearings by persons of their own choice.

Which was committed to the Committee on State Government.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 840, entitled:

An Act authorizing cities of the first and second class to regulate the inspection, maintenance, conduct and operation of public eating and drinking places and the premises connected therewith, and removing the same from State supervision.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 841, entitled:

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by exempting certain property held in the joint names of husband and wife.

Which was committed to the Committe eon Judiciary General.

RESOLUTIONS

TIME OF NEXT MEETING

Mr. WATKINS, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 4. 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 11, 1949, at four o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 11, 1949, at four-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present th same to the House of Representatives for concurrence.

EXECUTIVE NOMINATIONS

UNANIMOUS CONSENT UNDER RULE 38

A motion was made by Mr. LORD, JR., and Mr. KEPHART,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Pennhurst State School, for terms of four years, and until their successors are qualified:

Guy W. Knauer, 343 Price Street, West Chester, Chester County. (Reappointment).

I. DeVault Chrisman, R. D. 2, Elverson, Chester County. (Reappointment).

Claude B. Wagoner, Cedar and Chestnut Streets, Spring City, Chester County. (Reappointment).

Ralph W. Ralston, 21 South Main Street, Pottstown, Chester County. (Reappointment).

Mrs. Margaret W. Latshaw, Arch Street, Spring City, Chester County. (Reappointment).

Frank W. Shalkop, Trappe, Collegeville P. O., Montgomery County. (Reappointment).

Mrs. Robina Ewing, 100 Dartmouth Avenue, Swarthmore, Delaware County, vice Mrs. Hazel B. Trimble, Wayne, resigned.

JAMES H. DUFF.

MEMBERS OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Philadelphia County Board of Assistance:

Charles Amodei (Democrat), 6521 North 11th Street, Philadelphia, Philadelphia County, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Adolph Woll, Jr., Philadelphia, resigned.

J. H. Whitebook (Republican), 6433 North Broad Street, Philadelphia, Philadelphia County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Mrs. Claire Sylk, Philadelphia, resigned.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George F. Case, Troy, Bradford County, for reappointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JAMES H DUFF.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Whereupon,

A motion was made by Mr. LORD, JR., and Mr. KEPHART.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, House Bill No. 1134, entitled:

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

He also, from the Commitee on Appropriations, reported as amended, Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hear none.

PERMISSION TO ADDRESS SENATE

Mr. FARRELL asked and obtained unanimous consent to address the Senate.

Mr. FARRELL. Mr. President, tax legislation to provide the revenue for the urgent needs of Philadelphia's Board of Public Education is pending in both the House and the Senate. Four bills are now before the House, by which the existing Mercantile and Personal Property taxes for school purposes would be continued, and new per capita and wage taxes imposed. The bill in the Senate, which I introduced, is to increase the present school real estate levy.

Mr. President, all of these measures were introduced at the request of the Board of Education, with the view that the General Assembly might select from them such as it deems most equitable to all of Philadelphia's citizens and taxpayers, to provide the additional revenue required for the adequate maintenance of the school system.

There is considerable opposition to each of the suggested new tax bills, namely, the per capita tax, the wage tax and the increased real estate tax. Everyone agrees that new taxes to supplement the Board's revenue from the present real estate taxes, must be provided for—even if we continue the temporary mercantile and school personal property taxes, enacted at the last session. The Board must have $10,000,000 annually more than it obtains from the real estate taxes. The mercantile and personal property taxes, I am told, realize approximately $5,000,000 a year. So that, even with those two taxes continued, the Board would still be $5,000,000 a year short. The problem is very acute, and something must be done very soon.

There is another means by which the needed additional revenue can be obtained. It proposes, for the consideration of the Senate, the increasing and broadening of the scope of the mercantile tax and the including, as taxable personal property, certain types of personal property now exempt from taxation.

Mr. President, I am about to sponsor such measures, and also bills similar to those introduced in the House. There will be, accordingly, then before the Senate Committee all of the legislation in both Houses on this subject for its consideration and study.

From these bills, those which are deemed in the best interest of Philadelphia's citizens and taxpayers, and which will provide the Board with the money it requires, may then be passed.

Mr. President, I rise in place and present to the Chair the following bills.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL, read in place and presented to the Chair Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education receiver of school taxes, and school treasurer in such districts; and prescribing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 843, entitled:

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts and courts; providing for compensation to certain officers and employes; and prescribing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 844, entitled:

An Act imposing temporary taxes for public school purposes on salaries wages commissions and other compensation earned by residents of school districts of the first class and on salaries wages commissions and other compensation earned by nonresidents of school districts of the first class for work done or services performed or rendered in school districts of the first class and on the net profits of businesses professions and other activities conducted by such residents and on the net profits of businesses professions or other activities conducted in school districts of the first class by nonresidents requiring the filing of returns and the giving of information by employers and by those subject to the said taxes imposing on employers the duty of collecting the taxes at source providing for the administration collection and enforcement of the said taxes and imposing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 845, entitled:

An Act to reenact and amend the Act approved the the twentieth day of June one thousand nine hundred and forty-seven (P. L. 728) entitled "An act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to estab and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' authoriing and limiting the imposition of a tax for school purposes on certain residents of school districts of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tex at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws" by imposing the tax on residents of school districts of the first class twenty-one years of age or over by providing for collection of tax penalties for nonpayment and changing definition of employer.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 846, entitled:

An Act to amend the Act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing temporarily the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 847, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by continuing temporarily the provisions of said act and the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

Which was commited to the Committee on Education.

CALENDAR

Mr. WALKER. Mr. President, I call up out of order on page 12 of the Senate Calendar, Bills on Third Reading, Senate Bill No. 654, Printer's No. 166, and I would like to respectfully suggest to the Members of the Senate that this bill be debated with Senate Bill No. 5, Printer's No. 276, on page 1 of the Calendar, so that we will save a little time, and not have the same speeches twice.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 654, as follows:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and is hereby proposed in accordance with the eighteenth article thereof—

That article fourteen be amended by adding thereto section eight as follows—

Section 8 (1) In Philadelphia all county offices are hereby abolished and the city shall henceforth perform all functions of county government within its area through officers selected in such manner as may be provided by law

(2) Local and special laws regulating the affairs of the City of Philadelphia and creating offices or prescribing the powers and duties of officers of the City of Philadelphia shall be valid notwithstanding the provisions of section seven of Article Three of this Constitution

(3) All laws applicable to the County of Philadelphia shall apply to the City of Philadelphia

(4) The City of Philadelphia shall have assume and take over all powers property obligations and indebtedness of the County of Philadelphia

(5) The provisions of Article Fifteen section one of the Constitution shall apply with full force and effect to the functions of the county government hereafter to be performed by the city government

(6) This amendment shall become effective immediately upon its adoption

(7) Upon adoption of this amendment all county officers shall become officers of the City of Philadelphia and until the General Assembly shall otherwise provide shall continue to perform their duties and be elected appointed compensated and organized in such manner as may be provided by the provisions of this Constitution and the laws of the Commonwealth in effect at the time this amendment becomes effective but such officers serving when this amendment becomes effective shall be permitted to complete their terms

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. KEPHART. Mr. President, the function of a political party is to express the will of the people.

In attempting to discover what public opinion in Philadelphia favored, the Republican Party looked to the program advocated by the five civic organizations in Philadelphia, The Chamber of Commerce, The Pennsylvania Economy League, the Committee of Seventy, The Citizens' Council on City Planning, and the Bureau of Municipal Research. In their pamphlet "How to Modernize Philadelphia's Government," a copy of which can be procured from any of the group, they advocated City-County consolidation, Home rule, Debt Stabilization, and a merger of the Registration Commission and the County Board of Elections.

In attempting to carry out this program, the Debt Stabilization bills have been introduced in the House and bills for the other three purposes were introduced in the Senate.

Due to opposition within the civic organizations and the newspapers, it became apparent that the merger of the Registration Commission with the County Board of Elections did not have the support of public opinion, and for that reason the Republican organization decided to give no further support to such a bill.

With respect to City-County merger, Senate Bill No. 654 has the approval of all five civic organizations plus that of the Greater Philadelphia Movement. For some weeks past there has been no difference of opinion as far as policy is concerned between the thinking of the Republican organization and that of the civic organizations. There has merely been a disagrement in wording. It was the opinion of some persons that it was sufficient to remove the constitutional shackles and permit the legislature to act in such manner as it would choose. Others thought that a bill saying that the legislature shall or must merge the governments was better. It must be clear to everyone in this chamber that in the final analysis the legislature will have to work out the solution, and that whether it may act or whether it shall or must enact legislation would seem to be immaterial. However, through a series of conferences we have finally arrived at a bill which seems to have universal support, and that is Senate Bill No. 654.

Senate Bill No. 5 is the Home Rule Bill, and while there is a divergence of opinion of the exact details of this bill, I feel that it has the substantial support of all the civic organizations. The Bill provides for the appointment of a Charter Commission of 15, no more than 10 of whom can be from the majority party. Nine of the Charter Commission are to be appointed by the President of City Council and six by the Mayor. Of course, this bill could have provided that the Charter Commission should be elected by the people, but if it had, charter revision in Philadelphia would have been delayed for at least a year. The bill as now drafted goes into effect immediately and a charter could be written in time for submission at this November's election.

In so far as the virtues of election vs. appointment is concerned, it seems to me that we in Philadelphia will get a better commission by way of appointment than election. Many civic minded citizens in Philadelphia and in particular, Dr. Chute, the Executive Director of the Pennsylvania Economy League, who is an expert on the civic organizations on this problem, agree with this point of view. My own feeling is that the eyes of the people will be on the Mayor and President of City Council and they will appoint outstanding citizens for this job.

Furthermore, I might note in passing that we all know that if the commission were elected rather than appointed, the two major political parties would control the designation of candidates and some outstanding citizens, who might not wish to get into the political arena of an election, might refuse to have their names submitted.

I would like to further point out that those who object to the appointive power in this matter are not very consistent, because they at the same time desire a City Charter, under which the Mayor will have power to appoint all the City Officials, including those exercising County functions.

With respect to the method of amending the Charter, the Bill as originally drafted provided for amendments to be submitted to the people upon the vote of two-thirds of City Council. Since the City Charter is the fundamental law of the City, just as the state Constitution is the fundamental law of a state and the Federal Constitution the fundamental law of the United States, we sought guidance for the amending process in those great documents. Article V of the Federal Constitution provides that amendments may be submitted to the people in state conventions upon the vote of two-thirds of the members of both houses of Congress. The Constitution of Pennsylvania provides that amendments may be submitted to the people upon a majority vote of both houses of the State Legislature passed in two consecutive sessions. The method of amending the City Charter in the original bill was consistent with these constitutional requirements.

However, some members of the civic organizations desired a more lenient method of amendment and requested that they be submitted to the people upon petition of 20,000 electors. This appears to be satisfactory provided the elected representatives of the people screen any such suggestion, so that the people will not be asked to vote on impractical or absurd schemes.

As everyone knows, with a few hundred dollars it would be easy to get 20,000 persons to sign a petition for almost anything. Petitions might be submitted to limit the height of buildings, to prohibit or require the use of union labor on construction in Philadelphia, to gerrymander

councilmanic districts, to deny proper representation to minority groups, to prohibit council from enacting FEPC or other legislation in the interest of Minorities, especially on religious and racal issues, or anythng that a small group was particularly or fanatically interested in.

Furthermore, in no major city can amendments be initiated by so low a percentage of electors. New York requires 50,000, and most major cities require 10 to 15% of the electors to sign a petition, which in Philadelphia would amount to 100,000 to 150,000.

If the suggestion offered were taken, a few disgruntled persons could get up a petition to review the whole charter and throw out the good work done by the Charter Commission, perhaps on a single issue with which they disagree. It is not difficult to confuse the public on a complicated law. We see it done even here, where it is our duty to read and know the contents of the bills.

In the final analysis this is not a question of the Republican party or the Democratic party, because there is no guarantee that the Republican party will control Council indefinitely in future elections. We hope it will. This is a question of the fundamentals of good government, and we feel that this Bill provides just that.

Mr. STIEFEL. Mr. President, Senate Bill No. 654 and Senate Bill No. 5 revolve around the centennial dream of Philadelphia's citizenry for better government.

Senate Bill No. 654 reminds me of the "Golden Ass" by Apulius, a Roman classic.

Mr. President, there were several metamorphoses during the Session, and this is supposed to be the final product. In the enactment of Senate Bill 654, we appear holding the horns of a dilemma. The bill provides the shell, and it will be up to the people in the future, the city officials, to supply the contents.

Mr. President, I mentioned it once that Voltaire said he would rather have Mephisto legislate and Gabriel execute, than Gabriel legislate and Mephisto execute. This Senate Bill No. 654, as I say, provides the shell and the contents will have to be supplied later, and if Mephisto is going to supply the contents, it will be a complete flop.

However, Mr. President, under the circumstances, and in order to advance the arrival of a better day, we are constrained to vote for Senate Bill No. 654, hoping that the contents overall will be for the betterment of the citizenry of Philadelphia.

Mr. President, so far as Senate Bill No. 5 is concerned, which is supposed to give Philadelphia a new charter, in my humble opinion it militates against the fundamentals of American government. That redeeming phrase of the Constitution, "we the people," is missing from these provisions, because, in my opinion, an appointed charter commission means the bankruptcy of democracy. We have many outstanding citizens, we have many outstanding luminaries in Philadelphia, who could serve on a charter commission, but unfortunately some of them are not concerned with the principle behind the legislation. If I would be assured that all of them would think of the principle of better government and the improvement of Philadelphia, I would be for it, but I would rather see an elected commission, even if the quality and caliber of the people who served on that commission were not so outstanding.

Mr. President, I have examined a list of appointed charter commissions, and I find the preponderant rule is the rule of elected commissions. In Missouri they tried both systems, elected commissions and appointed commissions, and they came to the conclusion that the elected commissions worked out better. I could stand here on the floor of the Senate and bring many principles in support of my contention, but I respectfully maintain that if we do not elect the membership of the Commission that will have to draw the charter, we admit that the people are not able to govern themselves, and such admission is tantamount to the bankruptcy of democracy.

Mr. DiSILVESTRO: Mr. President and Members of the Senate, this is an accumulation of facts. Do not fear any filibuster. It isn't that. It's just that I didn't have enough time to pick out the clippings I want to refer to. The truckers, the railroads and the leaders kept me away and prevented me from going over this accumulation. These clippings are just from one admiiistration. I have clippings from all the administrations since I have been in Harrisburg.

I want to refer to just one. Mr. President, Joe Miller reports in 1937 in the Philadelphia Inquirer that the City-County consolidation bill presented by Senator Stiefel and Senator DiSilvestro is ready to be signed by the Governor. Maybe 10 years from now, in 1959, if Joe Miller is still around, he will still be writing the same kind of article.

Mr. President and Members of the Senate, my point is just this. I am not opposed to the Kephart bill—the City-County consolidation bill— because, first of all, I know that he introduced it in the proper spirit, that of really wanting to give Philadelphia a City-County consolidation bill, but I am wondering whether the Senators who vote for this bill will do everything in their power to influence their communities back home to vote for consolidation when it comes up as a referendum before the people.

That is the only thing that bothers me about this bill, because in 1937, as reported in these clippings, we passed it and it was signed by the Governor, but when it came before the Legislature the second time, the people from upstate gave it a good licking.

Now, Mr. President, if the Members of the Senate really are in good faith and really mean to help the City of Philadelphia, I hope that in voting for the bill they will also have the honest intention of trying to influence the electorate with speeches and work, just as Bill Meade, the Philadelphia Republican leader, said at one of the meetings that he would put all his efforts into seeing that the referendum would be approved by the people.

Now, Mr. President, Senate Bill No. 5, was introduced by my good friend and former professor, Senator Lord, whom I know is also acting in good faith in presenting his bill. Mr. President, if you read the newspapers of last week, you will see that Mayor Samuel wants to put his son in the position of City Councilman from South Philadelphia—nepotism.

While all the other leaders in Philadelphia feel that is not right, I ought to be hoping that he gets the job, because that would weaken the Republican party in South Philadelphia.

Mr. President, I do not think that we are being given the proper utensils, the proper instruments, the power to get the proper man to do this job that we want done.

In the Earle administration, we had the audacity and the courage to name a man like Goodrich, who is now the

Judge of the Circuit Court of Appeals of the Eastern District in Philadelphia. Now, if anything like that would come out of Senator Lord's bill, I would be for it one million per cent. Can't you imagine what would happen if this power were put into the hands of a man who made a fine police officer, like Shooey Malone, who had to leave the service of the City of Philadelphia as Director of Public Safety?

In the Daily News of Wednesday, February 10, 1937, when the Democrats had control in Harrisburg, there appeared this title in that paper: "Shooey Malone Slated to Head State Police." That is how much we thought of that man. It wasn't because Shooey Malone was in the Republican Administration or in the Democratic Administration. We were concerned only with the benefit to the city of Philadelphia and the state of Pennsylvania by having him at the head of the State Police.

Remember, Mr. President, that Shooey Malone left the service in Philadelphia, and no one in Philadelphia knows the reason. Maybe he detected the putrid conditions and the smelly corners around City Hall. Maybe he was sick and tired of what was going on in Philadelphia.

Now, Mr. President, Barney Samuel is a nice fellow. He is an amiable individual and a good looking man when his picture appears in the newspapers. But, I submit that in all good conscious I cannot vote for a bill that gives him all of this power, because I know in my heart that he will not appoint the proper people.

Mr. President, I know that in the Committee of Local Government, under the very able Senator Stevenson, about eight years ago when Mayor Lamberton, now deceased, was present and asked for help for the policemen of Philadelphia, old Barney Samuel, in his same old political way, said: "Sure, we are going to help; you can trust us." Well, did the policemen of Philadelphia ever get that help? You know, Mr. President and members of the Senate, that they did not.

Mr. President, I feel Mayor Samuel lacks the ability, the foresight and the intelligence to name this Commission. I feel that he will give Philadelphia neither a proper Commission nor a square deal. Therefore, I must vote against this bill.

Mr. KEPHART. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator DiSilvestro.

The PESIDING OFFICER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. DiSILVESTRO. I will, Mr. President.

Mr. KEPHART. Mr. President, the gentleman from Philadelphia mentioned the commission that Judge Goodrich was on. W ill the gentleman state whether that was an appointed or elected commission?

Mr. DiSILVESTRO. Mr. President, "En Passant", I am not prepared to go into detail at this time. However, I might say we took into consideration such outstanding men as Judge Goodrich.

Mr. KEPHART. Was he appointed to the commission?

Mr. DiSILVESTRO. He may have been, I don't remember, but they were good men whom we appointed.

Mr, RESENFELD. Mr. President and Members of the Senate, before I begin to discuss the demerits of Senate Bill No. 5, I would like to take just a moment to acknowledge the excitement that was created here last week by my absence, and while I perhaps would not have agreed with the methods used in order to gain time so that I could appear here, I do want to thank my colleagues and finally the entire membership of the Senate for having the bill go over in order. It was not until the next day when I read it in the press that I knew about the excitement that was created, and I assure you that I am sorry if my absence did something to the serenity of the Senate Chamber.

Mr. President, it makes it rather difficult and embarrassing for me today to put my best foot forward because the newspaper reports that I read ended with short sentence: "The Bill will pass the Senate next Monday, and be sent to the House for concurrence." Now, with this staring me in the face, I wish that this were, instead of a meeting of the Senate, a Republican Caucus at which I would have the honor to attend. I am sure that I could have obtained a more receptive audience before we had reached the point where it had been told that this is something that must be done for the organization in Philadelphia, and I think I might have convinced the gentlemen on the right side of this House that what I was saying was not only in the interest of the citizens of the city of Philadelphia, but believe it or not in the interest of the Republican Party of that City.

Mr. President, I suppose, in order to really understand the nature of this entire problem, we should place ourselves in the position where we could view step by step what has brought us to this particular point. I am not going to take the time of the Senate to do that. I know that all of you are fairly familiar with the conditions as we find them in Philadelphia today and as they have been for a long time, but things are out in the open today, and I must confess that notwithstanding my partisanship, I was proud civically when the leader of the Republican organization, last year when all these exposures were being made, admitted that it was an awful thing, and decided that public trust would be taken away from the Republican Party in Philadelphia unless something was done. Now, with that as a background, I think we should begin to examine carefully what that something is that is attempted to be done here today.

My good friend, Senator Kephart, has talked to you in one breath about the civic organizations being in back of Senate Bill No. 654, but when he discussed Senate Bill No. 5, he forgot all about the civic organizations, because they are not in favor of Senate Bill No. 5 the way it reads today. I think, Mr. President, to prove to you gentlemen that we are not obstructionists or not obstreperous, we are supporting Senate Bill No. 654; we do not think it is perfect, but we think in the final analysis it will do some good for the city of Philadelphia, if, as, and when it ever passes. Now, will it ever pass? I do not know, genltemen. We have had one bad experience with city-county consolidation before. At any rate, city-county consolidation, home rule, debt stabilization, all were part of a program developed by the civic agencies, and agreed to apparently in principle by the Republican Party in Philadelphia.

Mr. President, I think it was the first or second day of this Session that bills were introduced in the Senate and House covering these points, and here we are on April 4, and what do we find? We find that city-county consolidation had to be revised four different times before it became acceptable. We know, too, that city-county

consolidation has to be voted upon by the Legislature in 1951, and that it may become effective sometime in 1956. As to debt stabilization, we find a bill passed in 1947, agreed to by all the civic agencies, and the Republican organizations introduced it in the House in 1949. We find now that it has to be passed a second time, that a very, very serious effort is being made to scuttle it, and unless I miss my guess, it will be scuttled. In any event that, too, is something that could become effective only in the future.

I am not going to talk about the Registration Commission ripper. The Republican organization in Philadelphia wisely decided to drop it, and it has been dropped, but in considering the history of the course of this legislation through the Senate, I would like to say, without being unduly critical of any particular individual, that no decent hearing was given, particularly on the home rule bill. There was a public hearing, at which an effort was made by the Committee to hear the pros and cons with regard to all these bills. That hearing ended in a brawl; it ended in a brawl simply by reason of the fact that the Committee was asked that it consider and discuss a bill that was not even before it, and which it was announced that morning was going to be introduced in the Senate that day.

Mr. President, the reason I am discussing the background of these measures is to set forth at least my position to the Members of this Senate and to the citizens of the city of Philadelphia in connection with the seriousness of the organization which at this late date is asking for something that looks like it is in the interest of the citizenry of Philadelphia. Now, there is only one thing that can be done immediately for Philadelphia, and that is the obtaining of a new charter, whether it be by passage of a bill by this Legislature or by home rule.

Mr. President, we have to keep in mind that the operation of government is concerned not alone with the framework, which we change from time to time, but with the men who operate within that framework, and if the citizens of the city of Philadelphia had the opportunity today of changing the men who operate within the framework, I assure you, Mr. President and Members of this Senate, they would do the changing, and I think that is the crux of what is wrong with Senate Bill No. 5. We are proceeding on the basis that we have men operating the city of Philadelphia who have been operating it in the interest of the city of Philadelphia, and I am not singling anyone out for attack. It is the thing that happens when an organization stays in power for a very, very long time, and Philadelphia is no exception. It is happening there, too, and I would like to make it clear that I do not think it has anything to do with anybody being either a Republican or a Democrat. It has happened to Democratic organizations, too, and I am just as concerned as is the gentleman from Philadelphia, Senator Kephart, when he says that it may be that the Democrats will take over City Council, which I am sure they will, but I am just as much fearful of a Democratic organization that would take over with those powers as I am of a Republican organization.

Mr. President, this is supposed to be a home rule bill, and we keep in mind that these same men who brought Philadelphia to the knees at which it finds itself today, are going to control the machinery of that home rule bill, then, Mr. President and Members of the Senate, we should understand that it cannot be a decent home rule bill. It merely transfers from Senator Kephart and Company of this Senate the right to make the laws for the city of Philadelphia to Councilman Garman and his Co-Councilmen in the city of Philadelphia; that is all it does. You have the same leadership and the same group. You keep away from the citizens of the city of Philadelphia the right to pick the members of the new so-called Charter Commission, and if, as Senator Kephart said, it was important to save time, we could have saved time; we could have had a new charter passed by the Senate and the House of this Legislature, and have had it in operation now in the city of Philadelphia, instead of wasting the four months we have, trying to work out a City-County consolidation bill and a home rule bill, which is not a home rule bill. This bill refuses to give the people of the city of Philadelphia if Senator Kephart thinks 20,000 is too little, let us make it 40,000, let us make it 50,000—but let us give the people some say in the operation of their government. We have the opportunity to do it now, and we should do it now.

Mr. President, I think, instead of rambling the way I seem to be going along, I could best indicate to you what the feelings of the citizens of the city of Philadelphia are by reading an editorial in the Evening Bulletin.

> "When the Committee of Fifteen punched a little peephole through the iron curtain behind which Philadelphia's city government operates, the public got a momentary glimpse of tax thefts and other disturbing conditions.
>
> "As a result of these disclosures there was a wave of popular indignation. Organization spokesmen were in a chastened mood. Republican City Chairman Meade exhorted his followers about the 'flagrant and scandalous conditions' that prevailed. He spoke of 'rank, unsavory disregard for public trust.' He referred to 'open and calculated theft of public funds.' He warned them that 'we, the Republican party in Philadelphia, collectively and individually, face loss of public trust.'
>
> "That was back in May. The development of that period gave impetus to widespread demand for thoroughgoing reform of the City's government system. The Legislature was to meet in January. Then, Philadelphians thought, we would advance constitutional City-County consolidation and meanwhile get a new charter that would in the meantime erect safeguards against long-practiced abuses.
>
> "Something resembling the legislation then expected is now in process of enactment. But the Organization has cast aside its sackcloth and ashes. It has an eye on preserving the power, and especially the patronage, it has long enjoyed. We are told that county government is to be preserved as a separate entity. We are to have a charter commission appointed by the Mayor and Council. Council is to preserve power over any proposed amendments. What Philadelphia is now promised when it asks for bread looks very much like a stone.
>
> "Is it so certain that the storm has blown over? Are the people going to be content with half-measures?
>
> "It is more reasonable to suppose that the people's desire for an effective governmental set-up did not die with the Committee of Fifteen, and that we are experiencing a lull, not the passing of the storm."

Mr. President and Members of the Senate, I say to you as sincerely as I know how, that if you are in favor of

home rule, you cannot vote for Senate Bill No. 5, and I ask each of you, therefore, to vote against that bill.

Mr. DENT. Mr. President, I am not going to get into this strictly Philadelphia fight, except to read an article that appeared the other day in one of the Philadelphia papers, written by Earl Selby, of the Philadelphia Bulletin. It is very important to the Members of the Senate to hear this particular article, and I quote from the newspaper:

"SOMETHING TO WATCH: Senator Kephart put in a long distance call from Harrisburg for an off-the record chat with the Economy League's Charlton Chute. The topic was the so-called 'home rule bill,' which as now drafted requires all charter changes to be okayed by City Council before they are submitted to the voters.

"'Would you,' asked Kephart, 'sound out the other civic groups on how they feel about the bill?' And then, apparently mindful of some criticism directed at the proposal Kephart said:

"'Ask them if they want this bill—or no bill at all . . .'

"Chute said he'd ask the other groups. No formal reply is ready yet, but the Committee of 70's Harry Butcher is saying: 'This bill is no real home rule bill for the people. All it actually does is give home rule to City Council . . .'"

Mr. President, we rest our case.

Mr. KEPHART. Mr. President, I want to thank the gentleman from Westmoreland, Senator Dent, for reading that excerpt, because the very last line of it is very explanatory, and it says there that we are giving home rule to the City Council. Well, who else would you give home rule in Philadelphia to? Who is going to make the laws for Philadelphia except the elected representatives of the people? That is how laws are made in Harrisburg, and that is how laws are made in Congress, and if that is not home rule, I do not know what is.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

Mr. WALKER. Mr. President, I now call up Senate Bill No. 5, on page 1 of today's Calendar, and suggest that we take up the Calendar in its regular order.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 5, as follows:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Adoption and Amendment of City Charters

Section 1 Cities Empowered to Adopt and Amend Charters Any city of the first class may frame and adopt a charter for its own government and may amend its charter whether the same has been originally adopted under the provisions of this act or provided by local special or general law

Section 2 Initiation of Proceedings through Charter Commission

(a) The city council of any city of the first class by a two-thirds vote of its elected members may or upon petition presented to the city council and if filed as hereinafter provided in the form prescribed by the city council signed by not less than twenty thousand registered electors of the city shall without undue delay provide by ordinancea for the appointment of a commission to frame a new charter of the city and for giving public notice of the passage of said ordinance Each elector signing such petition shall add to his signature his occupation and residence and the date of signing Signatures to the said petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person not necessarily a signer and not necessarily the same person as on other sheets that to the best of affiant's knowledge and belief the signers are registered electors of the city that they signed with full knowledge of the contents of the petition and that their residences are correctly given

(b) The clerk of the city council of the city shall file with the mayor of the city and with the Secretary of the Commonwealth a copy of such ordinance certified by him within the five days next following its final passage and shall also cause the public notice to be given as provided in the said ordinance

Section 3 Appointment of Members of Commission Within thirty days after the final passage of the said ordinance the president of the city council and the mayor of the city shall appoint a commission to frame a new charter consisting of fifteen registered electors of the city nine of whom shall be appointed by the president of the city council and six of whom shall be appointed by the mayor provided however that not more than six of the members appointed by the president of the city council of the city and not more than four of the members appointed by the mayor of the city shall be enrolled members of the same political party

Section 4 Vacancies Any vacancy in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the remaining members of the commission by appointing as a member of the commission a registered elector of the city enrolled in the same political party as the member whom such appointee shall succeed

Section 5 Organization of Commission Framing of Proposed New Charter The mayor of the city shall call a meeting of the members of the charter commission so appointed within thirty days after their appointment to

be held at a time and place fixed by him in his call and at such meeting the commission shall organize by selecting from their number a chairman and a secretary adopt rules to govern its proceedings and proceed to frame a new charter for the government of such city All meetings of the commission shall be open to the public except when the commission may desire an executive session All actions of the commission shall be by a majority vote of all members

Section 6 Amendments to Charter Amendments to the charter for the government of any city may be proposed by a resolution of the city council adopted with the concurrence of two-thirds of its elected members Amendments to a charter adopted under the provisions of this act may also be proposed by a petition presented to the city council of the city Such petition shall be in the form prescribed by the city council and shall be signed by not less than twenty thousand registered electors of the city and shall set forth the text of the proposed amendments and may designate and authorize not less than three nor more than five of the signers thereto to approve any alteration or change in the form or language or any restatement of the text of the proposed amendments which may be made by the city solicitor or head of the department of law of the city as provided in Section 7 of this act Each elector signing such petition shall add to his signature his occupation and residence and the date of signing signatures to the said petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person not necessarily a signer and not necessarily the same person as on other sheets that to the best of affiant's knowledge and belief the signers are registered electors of the city that they signed with full knowledge of the contents of the petition and that their residences are correctly given upon the filing of such petition as hereinafter provided the presiding officer of the city council shall without undue delay submit for the consideration of the city council the question as to whether the amendments proposed thereby shall be submitted to the qualified electors of the city for their approval or disapproval if the city council by a resolution adopted with the concurrence of a majority of its elected members shall so determine such proposed amendments shall be submitted to the qualified electors of the city for their approval or disapproval otherwise the petition shall be deemed denied Upon the adoption A resolution either proposing amendments or to submit to the qualified electors of the city amendments proposed by a petition signed by registered electors the city council shall forthwith provide by ordinance for the submission of the proposed amendments to the qualified electors of the city for their approval or disapproval at a special election on the day fixed and designated in the ordinance in accordance with the provisions of Section 10 of this act

Section 7 Examination of petitions filing rejection when any petition is presented to the city council of the city under or pursuant to the provisions of subsection (a) of Section 2 of Section 6 of this act it shall be the duty of the clerk of the city council with the assistance and advice of the city solicitor or head of the department of law of the city to examine such petition No such petition shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material errors made after signing without the consent of the signers or (c) it does not contain a sufficient number of genuine signatures as required by this act Provided however That although not hereby required so to do the clerk of the city council may question the genuineness of any signature or signatures appearing thereon and if he shall thereupon find that any such signature or signatures are not genuine such signature or signatures shall be disregarded by him in determining whether the petition contains a sufficient number of signatures as required by this act or (d) in the case of amendments proposed in the petition if such proposed amendments as set forth in the petition are not in accordance with the provisions of the Constitution of the United States or of the Constitution or Laws of the Commonwealth of Pennsylvania or of this act or are not stated in such form or language as may be intelligently or properly submitted to the electors for approval or disapproval Provided however That the city solicitor or head of the department of law of the city shall have authority to and may alter or change the form or language of or restate the text of the proposed amendments by and with the approval of such signers of the petition who may have been authorized therein to approve any such alteration change or restatement and provided further That if the form or language of such proposed amendments are thus altered or changed or if the proposed amendments are thus restated the defect arising because of the original form or language in which the proposed amendments were stated shall be deemed corrected the invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet The action of the clerk of the city council in rejecting and refusing to file any petition may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the tenth day next following the day it was presented to the city council unless such application for a writ of mandamus shall be made and filed in the said court of common pleas within ten days after the refusal of the clerk of city council to file the petition the court shall be without jurisdiction to entertain or consider any application for a writ of mandamus or any other proceeding to compel the filing of the petition Provided however That the clerk of the city council shall be entitled to a reasonable time in which to examine any such petition and to summon and interrogate the persons presenting the petition or any of the signers thereof or any of the affiants to any of the appended or accompanying affidavits and his retention of such petition for the purpose of making such examination or interrogation shall not be construed as the filing thereof

Section 8 Objections to Petitions Any petition presented to the city council of the city under or pursuant to the provisions of sub-section (a) of Section 2 or of Section 6 of this act and if filed as hereinbefore provided shall be deemed to be valid unless within seven days after the filing of such petition a petition is presented to the court of common pleas of the proper county by not less than one hundred registered electors of the city specifically setting forth the objections thereto and praying that the said petition be set aside A copy of said petition presented to the court of common pleas shall within said period be served on the clerk of the city council of the city Upon the presentation of such a petition the court shall make an order fixing the time for hearing which shall not be later than ten days after the presentation of the petition to the court and specifying the time and manner of notice by public advertising or otherwise that shall be given of such hearing on the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and shall finally determine said matter not later than fifteen days after the last day for presentation of such petition to the court If the court shall find that such petition is defective under the provisions of Section 7 of this act or does not contain a sufficient number of genuine signatures of registered electors entitled to sign the same under the provisions of this act it shall be set aside if the objections relate to material errors or defects apparent on the face of the petition or on the face of the accompanying or appended affidavits the court after hearing may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify In case any such petition is dismissed the court shall make such order as to the payment of the costs of the proceeding including witness fees as it shall deem just

Section 9 Filing and Distribution of Proposed Charters or Amendment Framing of Ballot Question The new charter proposed by the commission or the proposed amendments which the city council of the city shall have provided by ordinance for submission to the qualified electors of the city for their approval or disapproval as provided in Section 6 of this act shall be filed with the city council which shall thereupon cause said proposal or proposals together with the form of the question or questions hereinafter provided for to be printed in pamphlet form in sufficient number for general distribution The said pamphlets shall be made ready for distribution at least twenty-eight days before the election at which the proposals aforesaid are to be voted upon by the electors and the said proposals together with the said ballot questions shall also be published once a week for three weeks in at least two newspapers of general circulation in the city Such publications shall appear during the three weeks immediately preceding the election at which the vote is to be taken upon said proposals Each ballot question shall be framed in brief form of not more than seventy-five words by the commission proposing the new charter or by the city council of the city in the case of amendments The said questions shall be stated in the report of the commission or in the ordinance of the city council Whenever a proposed new charter or amendments shall propose any change in the manner of selection of elected city officers such proposal and the necessary ballot question shall be stated separately from the remainder of the proposed new charter in the report or ordinance as the case may be and in the publications herein required The commission may require that its proposed charter be submitted in two or more parts so arranged that corresponding parts of the existing charter shall remain in effect if one or more of such parts are not adopted and may also submit alternative charters or alternative provisions to supersede designated portions of the proposed charter if adopted In such case the commission shall prescribe the form of questions in such a manner as will clearly indicate the effect of the approval of such questions All amendments to the charter shall be separately submitted. The clerk of the city council shall within five days after the filing of a new charter proposed by a charter commission or within five days after final enactment of an ordinance by the city council as foresaid providing for submission of amendments to its charter certify an exact copy of the text of such new charter or amendments together with the necessary ballot questions to the county board of elections of the county wherein such city is situate The county board of elections shall cause the said ballot questions to be properly printed on the ballots or ballot labels

Section 10 Submission of Charter or Amendments to Vote The proposed new charter or amendments shall be submitted to the electors for approval or disapproval by the use of the ballot questions framed as aforesaid at a special election occurring more than forty-five days after the proposed new charter is filed with the city council of the city or the final enactment of an ordinance by the city council providing for the submission of amendments as aforesaid In the case of a proposed new charter such special election shall be held on such day as shall be fixed and designated by the charter commission which day may be the day for holding any primary or regular November election or a day other than a day for holding any election in the city in the case of proposed amendments to a charter such special election shall be held on the day of any primary or regular November election as shall be fixed and designated by the city council in the ordinance enacted under the provisions of Section 6 of this act Whenever a proposed new charter or amendments to the charter shall propose any change in the manner of selection of elected city officers such proposal shall be submitted by a separate ballot question

Section 11 Effect of Adoption of New Charter or Amendments on Existing Laws Any new charter or amendments to the charter of a city thus proposed which are approved by a majority of the qualified electors voting thereon shall become the organic law of the city at such time as may be fixed therein and all courts shall take judicial notice thereof So far as the same are consistent with the grant of powers and the limitations restrictions and regulations hereinafter prescribed they shall supersede any existing charter and all acts or parts of acts local special or general affecting the organization government and powers of such city to the extent that they are inconsistent or in conflict therewith All existing acts or parts of acts and ordinances affecting the organization government and powers of the city not inconsistent or in conflict with the organic law so adopted shall remain in full force No contract existing at the time of the adoption or amendment of a charter by a city under the provisions of this act shall be affected thereby but such contract shall have the same force and effect and be of the same validity as if such charter had not been adopted or amended

Section 12 Recording and Filing of New Charter or Amendments Printing in Pamphlet Laws The clerk of the city council of the city shall forthwith cause the said new charter or amendments as approved by the qualified electors to be recorded in the ordinance book of the city He shall also file a certified copy thereof in the office of the Secretary of the Commonwealth and the text thereof shall be published as an appendix to the next volume of the pamphlet laws subsequently published

Section 13 Conduct of Elections Returns All elections provided for in this act shall be conducted by the election officers for such city in accordance with the Pennsylvania Election Code The election officers shall count the votes cast and make return thereof to the county board of elections The result of any such election shall be computed by the county board of elections in the same manner as is provided by law for the computation of similar returns at any such election Certificates of the result of any such election shall be filed by the county board of elections with the city council of the city and with the Secretary of the Commonwealth

Section 14 Notice of Elections At least thirty days notice of each election herein provided for shall be given by proclamation of the mayor of the city A copy of such proclamation shall be posted at each polling place of the city on the day of the election and shall be published in at least two newspapers of general circulation in the city once a week for three consecutive weeks during the period of thirty days prior to the election which publications may be included in the publications required to be made under the provisions of Section 9 of this act

Section 15 Compensation to Members of Commission and Expenses Paid by City Such compensation to the members of the commission for their services as the city council of the city shall by ordinance deem proper the expenses of the charter commission and the cost of publishing distributing and advertising the proposal or proposals of the commission or of the city council of the city or of electors and the proclamations as required by Section 14 of this act and all other expenses of the charter commission and of the city council incurred in connection with any proceedings hereinbefore provided for when not otherwise provided for by law shall be paid from the city treasury and the city council of the city shall provide therefor

Section 16 Limitations on Presenting Petitions For and the Adoption of Charters and Amendments No proposal of a new charter or amendments of similar substance purpose and intent shall be submitted to the qualified electors oftener than once in every five years Provided however That no petition by registered electors of the city either for the appointment of a charter commission or proposing amendments to a charter as provided in sub-section (a) of Section 2 and Section 6 of this act shall be presented to the city council of the city if the city council shall at such time already have provided by ordinance for the

appointment of a charter commission of a petition by registered electors for the appointment of a charter commission shall then already have been presented to the city council until the expiration of four years and six months next following the submission to the qualified electors of the city for their approval or disapproval of the charter proposed by the charter commission unless in the case of a petition by registered electors already presented such petition shall have been then rejected or set aside under the provisions of Section 7 or Section 8 of this act and Provided further That no petition by registered electors for the appointment of a charter commission shall be presented to the city council until the expiration of three months next following the effective date of this act

Article II

General Grant of Powers Limitations

Section 17 General Grant of Power and Authority Subject to the limitations hereinafter prescribed the city taking advantage of this act and framing and adopting or amending its charter thereunder shall have and may exercise all powers and authority of local self-government and shall have complete powers of legislation and administration in relation to its municipal functions including the power and authority to prescribe the elective city officers who shall be nominated and elected only in the manner provided by and in accordance with the provisions of the Pennsylvania Election Code and its amendments for the nomination and election of municipal officers The charter of any city adopted or amended in accordance with this act may provide for a form or system of municipal government and for the exercise of any and all powers relating to its municipal functions not inconsistent with the Constitution of the United States or of this Commonwealth to the full extent that the General Assembly may legislate in reference thereto as to cities of the first class and with like effect and the city may enact ordinances rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the city by the charter it adopts or by this or any other law Ordinances rules and regulations adopted under the authority of this act or under the provisions of any charter adopted or amended hereunder shall be enforceable by the imposition of fines forfeitures and penalties not exceeding three hundred dollars ($300) and by imprisonment for a period not exceeding ninety days

Section 18 Limitations No city shall exercise any powers or authority beyond the city limits except such as are conferred by an act of the General Assembly and no city shall engage in any proprietary or private business except as authorized by the General Assembly Notwithstanding the grant of powers contained in this act no city shall exercise powers contrary to or in limitation or enlargement of powers granted by acts of the General Assembly which are

(a) Applicable to a class or classes of cities on the following subjects

(1) Providing for the filing and collection of municipal and tax claims or liens and for the sale of real or personal property in satisfaction thereof

(2) Providing for the exercise of the power of eminent domain and the procedure for the condemnation of property for public purposes

(3) Providing for the assessment of damages and benefits for property taken injured or destroyed

(4) Providing methods for the incurring or increasing of indebtedness

(5) Providing for the annexation or exclusion or detachment of territory

(6) Regulating public schools

(7) Providing for the personal registration of electors

(8) Limiting rates and fixing subjects of taxation

(9) Providing for the assessment of real or personal property and persons for taxation purposes

(b) Applicable in every part of the Commonwealth

(c) Applicable to all the cities of the Commonwealth

Article III

General Provisions

Section 19 Validation of Charter Proceedings No charter or any amendment to an existing charter when adopted by a majority vote of the qualified electors of any city voting at any election shall be declared invalid or be set aside on account of any defect error or omission in the proceedings for the adoption of any such charter or amendment

Section 20 Penalties (a) If any person shall knowingly sign any petition provided for in this act without having the qualifications prescribed by this act or if any person shall set opposite a signature on any such petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite the signature of any such petition a false statement of the signer's place of residence or occupation he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment of not more than two years or both at the discretion of the court

(b) If any person shall knowingly make a false statement in any affidavit required by the provisions of this act to be appended to or to accompany a petition provided for in this act or if any person shall faudulently sign any name not his own to any such petition or affidavit or if any person shall fraudulently alter any such petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment of not more than two years or both in the discretion of the court

(c) Any person who shall wilfully deface or destroy any petition provided for in this act or any part thereof or who shall present or file or cause to be presented or filed any such petition knowing the same or any part thereof to be falsely made or who shall suppress any such petition or any part thereof which has been duly presented or filed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

(d) Any wilful false statement made under oath or affirmation or in writing stating that it so made although such oath or affirmation may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard determined or acted upon by the clerk of the city council or any other officers of the city or by any court or Judge thereof in accordance with the terms of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or to undergo an imprisonment of not less than three (3) months nor more than two (2) years or both in the discretion of the court

(e) Any officer of a city or a county or any employe of such officer or of such city or county or any other person on whom a duty is laid by this act who shall wilfully neglect or refuse to perform his duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

(f) Any person who shall violate any of the provisions of this act for which a penalty is not herein specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

Section 21 Short Title This act shall be known and may be cited as the "First Class City Home Rule Act"

Section 22 Repealer All acts and parts of acts incon-

sistent with the provisions of this act are hereby repealed

Section 23 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Berger,	Geltz,	Meade,	Wade,
Blass,	Hare,	Pechan,	Walker,
Chapman,	Homsher,	Peelor,	Watkins,
Crowe,	Kephart,	Robinson,	Watson,
Diehm,	Letzler,	Scarlett,	Wolfe,
Doehla,	Lord,	Snowden,	Wood, L. H.,
Donlan,	Mahany,	Stevenson,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,	Taylor,	Presiding Officer

NAYS—15

Barr,	Haluska,	Neff,	Tarr,
Barrett,	Holland,	Rosenfeld,	Toole,
Dent,	Lane,	Ruth,	Yosko,
DiSilvestro,	Leader,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club".

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 54, on third reading, entitled:

An Act to further amend sections four hundred twenty-two, four hundred twenty-three and four hundred twenty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 56, on third reading, entitled:

An Act to further amend sections two and three, and to amend section four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 144, as follows:

An Act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Instruction or any of its departmental administrative boards commissions

or offices upon the advice of the Attorney General may maintain as hereinafter provided an action in the name of the Commonwealth for an injunction or other process against any person to restrain or prevent his practicing any profession in a public or private capacity or engaging in any trade or occupation or against any person copartnership association or corporation establishing conducting or operating a private school or class without a license whenever a license to engage in such activity is required by law and such licenses are issued by the Department of Public Instruction

Section 2 Any such action shall be instituted in the court of common pleas in any county where the alleged unauthorized practice was committed Such court may issue a temporary restraining order or injunction under this act but shall determine any such action on its merits as soon as convenient whether in term time or in vacation Appeals from any final decision of such court to the Superior or Supreme Court shall be as in similar cases

Section 3 No bond shall be required of and no costs shall be taxed against the Department of Public Instruction or any of its departmental administrative boards commissions or officers or the officers thereof on account of any such action

Section 4 The provisions of this act shall be construed as supplementary to all other acts dealing with the same subject matter No action brought under the provisions of this act shall prevent the prosecution or institution of any civil or criminal action otherwise provided by law for violation of any licensing act or departmental rule or regulation promulgated thereunder

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 189, as follows:

An Act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth prescribing their powers and duties fixing their compensation and providing procedures for transmission and settlement of certain moneys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words or phrases shall have the meanings ascribed to them in this section

"Clerks of Courts" shall mean the clerks of the Courts of Quarter Sessions and Oyer and Terminer and General Jail Delivery and the clerks of any court of criminal jurisdiction within the Commonwealth

"Fines" shall mean fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court payable to the Commonwealth for the use of the Commonwealth and not for the use of the county

Section 2 It shall be the duty of the clerks of courts of the several counties of the Commonwealth to collect and transmit as agents of the Commonwealth all fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court payable to the Commonwealth for the use of the Commonwealth and not for the use of the county If any fine has not been paid when due or within the time if any specified by the court the clerks of the court shall proceed to collect the same with costs Nothing contained herein shall impair the right of the courts to moderate or remit forfeited recognizances as heretofore

Section 3 On the first Monday of each month it shall be the duty of every clerk of court to render to the Department of Revenue under oath or affirmation return of all fines received during the preceding month for the use of the Commonwealth under the provisions of this act and to pay the same into the State Treasury through the Department of Revenue less any compensation herein allowable

Section 4 Promptly upon receipt from any clerk of court of the return required by the preceding section of this article the Department of Revenue shall settle the account of such officer and transmit it to the Department of the Auditor General for audit and approval as in the case of tax settlements and the subsequent procedure shall be the same as in the case of tax settlements but a final discharge shall not be granted to any clerk of court upon any such account until the accounts and dockets of such clerk of court shall have been audited by the Department of the Auditor General as in this act provided

Section 5 Settlement in Case of Failure to Make Return. The Secretary of Revenue or any agent appointed by him is hereby authorized to examine the books and accounts of the clerk of court who shall refuse or neglect to make the return and payment required by this act and upon information obtained from such examination the Department of Revenue shall settle an account against such clerk of court and in the settlement shall add not to exceed fifty percent (50%) to the amount of the settlement to provide for any losses which might otherwise result to the Commonwealth from the neglect or refusal of the officer to furnish the return Such settlement shall be transmitted to the Department of the Auditor General for audit and approval and the subsequent procedure shall be the same as in the case of settlement

Section 6 Interest on Accounts Settled Upon the amount of every settlement made under the preceding sections of this article interest shall be payable from fifteen (15) days after the date of settlement at the rate of six percent (6%) per annum

Section 7 Resettlement of Accounts Upon Request of the Auditor General It shall be the duty of the Auditor General promptly upon auditing the accounts and dockets of the several clerks of courts for any period to furnish to the Department of Revenue a detailed report of any errors or discrepancies in the monthly reports of such clerks of courts filed with the Department of Revenue for the same period and thereupon it shall be the duty of the Department of Revenue to resettle the account of such clerk of court and credit or charge in accordance with the correct accounts Any such resettlement shall be transmitted to the Department of the Auditor General for audit and approval as in other cases and the subsequent procedure shall be the same as in the case of original settlements If the Department of Revenue shall fail within thirty (30) days after notice from the Department of the Auditor General to resettle the account the Department of the Auditor General may within sixty (60) days after the date of its request file a petition

with the Board of Finance and Revenue praying the Board to order the Department of Revenue to make such resettlement From any resettlement made hereunder a clerk of court may within thirty (30) days after the date of resettlement file a petition for review and thereafter appeal as in other cases

Section 8 Each clerk of court shall be entitled to deduct from the gross amount of moneys collected by him a commission in the following proportions three percent (3%) when the whole sum collected and paid into the State Treasury does not exceed one thousand dollars ($1,000) when it exceeds that sum and does not exceed two thousand dollars ($2,000) one per cent (1%) for such excess over one thousand dollars ($1,000) and on all beyond the sum of two thousand dollars ($2,000) one-half of one percent (½ of 1%) In addition thereto he shall be entitled to retain the amount of the premium or premiums on any bonds which he is required to file in connection with acting as agent of the Commonwealth No commission shall be allowed to any clerk of courts unless the amount due to the Commonwealth be paid within the time hereinbefore provided

Section 9 The compensation to be retained by the clerk of courts for acting as agent of the Commonwealth under the provisions of this act shall be in full for all services rendered by the clerk of courts to the Commonwealth in the collection and transmission of fines under the provisions of this act

Section 10 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	McPherson, Jr.,	Tallman,	Wagner,
Frazier,			Presiding Officer

NAYS—1

Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 189, as follows:

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyance by wives during their minority of their interest in their husband's real estate" are hereby amended to read as follows

An Act to authorize [and make valid conveyances by] Minor husbands and wives Seventeen Years of Age and Older [during their minority of their interests in] to join in conveyances of their [husband's] adult Spouses' real estate and to validate such conveyances heretofore made

Section 1 Be it enacted &c That the deed of conveyance of his or her real estate executed and acknowledged by [a wife] an adult married person in conjunction with his or her [husband of his real estate] minor spouse if seventeen years of age or older shall be valid and effectual notwithstanding the minority of [the wife] such minor spouse at the time of such [execution and acknowledgment] joinder and any such deed heretofore made shall be as valid as if [the wife] such minor spouse had at the time been of lawful age

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 270, as follows:

An Act providing for the oral examination of judgment debtors for the purpose of discovering whether such persons have property which may be made subject to execution on the judgment and conferring powers to compel attendance and examination of such persons upon courts of record

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any case in which a final judgment has been or may hereafter be recovered in any court of record in this Commonwealth and the judgment debtor refuses or fails to satisfy such judgment after being demanded in writing to do so the plaintiff either before or after execution has been issued thereon may petition the court that he believes the judgment debtor has property which should be applied towards the payment of such judgment and the court shall thereupon enter an order to the same number and term requiring the judgment debtor to attend and be examined orally after being duly sworn or affirmed to make true answers concerning his property before the court at such time and place as the court may appoint The attendance of the judgment debtor for the purpose of such examination may be enforced by the court as in the cases of other witnesses

Section 2 The judgment debtor may be compelled in the same manner as other witnesses in judicial proceedings to answer all pertinent questions addressed to him at such examination concerning his property and he shall not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may testify or produce evidence documentary or otherwise before said court except for perjury in giving such testimony

Section 3 The examination shall be taken reduced to writing and filed among the records of the case All expenses of the examination shall be paid by the plaintiff in the first instance and shall be taxed as costs and collectible from the defendant in the same manner as other costs in the case if it be ascertained thereby that the defendant has property which can be made liable for said judgment

Section 4 The act approved the ninth day of May one thousand nine hundred thirteen (P. L. 197) entitled "An act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 283, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Mt Pocono Airport Authority certain property located in Monroe County and commonly known as the "Mt Pocono Airport"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania and subject to the approval of the Governor is hereby specifically authorized to grant and convey to the Mt Pocono Airport Authority all those certain pieces or parcels of land situate in Coolbaugh Township Monroe County Pennsylvania bounded and described as follows

(1) Beginning at the common corner of the Jonathan Brown John Herster and Michael Hart Warrantee tracts thence along the John Herster Warrantee tract North 50°00′ West nine hundred sixty-one and two-tenths (961.20) feet to a point thence through lands of the Grantor herein South 40°00′ West eight hundred fifty-seven and five-tenths (857.5) feet to a point thence through the same 62°40′ East one thousand four hundred sixty-six and one-tenth (1466.1) feet to a point thence still through the same South 40°00′ West four hundred twelve and five-tenths (412.5) feet to a point thence still through the same South 50°00′ East seven hundred (700) feet to a point thence still through the same North 40°00′ East five hundred eighty-three and five-tenths (583.5) feet to a point thence still through the same South 62°40′ East one thousand three hundred forty-three and four-tenths (1343.4) feet to a point thence still through the same South 5°00′ East four hundred sixty-six and ninety-seventh hundredth (466.97) feet to a point thence still through the same North 82°5′ East five hundred thirty-nine and eighty-nine hundredths (539.89) feet to a point in the division line of the Jonathan Brown and Michael Hart Warrantee tracts thence along the Michael Hart Warrantee tract North 50°00′ West three thousand one hundred seventy-two (3172) feet to the point the place of beginning

Containing 48.12 acres more or less and being shown on Map No. 1868 entitled "Monroe Water Supply Company Map showing Land to be Conveyed to Commonwealth of Pennsylvania Division of Aeronautics Coolbaugh Twp Monroe County Penn Office of Corporate Eng'r Allentown Pa Scale 1′-200′ July 7 1937"

Being the same premises which Monroe Supply Company by its deed dated the twenty-sixth day of October one thousand nine hundred thirty-seven and recorded in the Office for Recording Deeds of Monroe County Pennsylvania in Deed Book No. 128 page 621 granted and conveyed to the Commonwealth of Pennsylvania

(2) Beginning at the most westerly corners of the lands in warranty name of Michael Hart thence South forty-two degrees fifty-six minutes East twenty-five hundred ten and seventy-nine hundredths feet along the existing fence to a stake thence North forty-five degrees fifty minutes East five hundred feet to a stake thence North no degrees fifty minutes East twenty-one hundred fourteen and twenty-nine hundredths feet to a point thence North forty-five degrees fifty minutes East ten hundred thirty-seven and one tenth feet to a point thence North forty-two degrees fifty-six minutes West five hundred feet to a point thence South forty-five degrees fifty minutes West twenty-five hundred feet to a stake thence North forty-two degrees fifty-six minutes West five hundred fifteen and forty one hundredths feet to a stake on the Davis-Lynch property line thence South forty-five degrees fifty minutes West five hundred feet to the place of beginning All lying within the property of the Berton E. Davis Estate in Coolbaugh Township Monroe County Pennsylvania and containing eighty-two and sixty-one one-hundredths acres (82.61)

Being the same premises which Verna Davis et al by their deed dated the fifth day of October one thousand nine hundred thirty-eight and recorded in the Office for Recording of Deeds of Monroe County Pennsylvania in Deed Book Vol 130 page 317 granted and conveyed to the Commonwealth of Pennsylvania

(3) No 1 Beginning at a point in the lands of the Commonwealth of Pennsylvania known as the Mount Pocono Airport and lands formerly owned by the Monroe Water Supply Company since acquired by the Commonwealth of Pennsylvania thence along the said land of the Commonwealth of Pennsylvania South forty-two degrees fifty-six minutes East a distance of six hundred sixty-one and twenty-one hundredths feet to a point thence North forty-five degrees fifty minutes East a distance of five hundred feet to a point thence North forty-two degrees fifty-six minutes West a distance of six hundred sixty-one and twenty-one hundredths feet to a point in the lands of the Commonwealth of Pennsylvania thence along the land of the said Commonwealth South forty-five degrees fifty minutes West a distance of five hundred feet to the place of beginning

A total of seven and fifty-eight hundredths acres more or less

No. 2 Beginning at the most Easterly point in the lands of the Commonwealth of Pennsylvania known as the Mount Pocono Airport thence along the land of the said Commonwealth South forty-five degrees fifty minutes West a distance of one thousand thirty-seven and one-tenth feet to a point in the lands of the said Commonwealth thence along the lands of the said Commonwealth South no degrees fifty minutes West a distance of one hundred fifty-five and fifty-six hundredths feet to a point thence North forty-five degrees fifty minutes East a distance of one thousand four hundred three and forty-two hundredths feet to a point this point being approximately two hundred feet from Pennsylvania State Highway Route 611 thence parallel to the said Highway 611 North thirty-nine degrees fifty-seven minutes West a distance of six hunddred eleven and sixty-seven hundredths feet to a point approximately two hundred feet from Pennsylvania Highway Route 611 thence South forty-five degrees fifty minutes West a distance of two hundred ninety and twenty-nine hundredths feet to a point in the lands of the Commonwealth of Pennsylvania thence along said lands South forty-two degrees fifty-six minutes East a distance of five hundred feet to the point of beginning A total of six and fifty-nine hundredths acres more or less

Being the same premises which Berton E Davis et ux et al by their deed dated the twenty-first day of March one thousand nine hundred forty-one and recorded in the Office for Recording Deeds of Monroe County Pennsylvania in Deed Book Vol 137 page 2 granted and conveyed to the Commonwealth of Pennsylvania

The conveyance herein authorized shall be subject to the same reservations and exceptions as expressed in the deeds to the Commonwealth hereinbefore described and to the further condition that if and when the Mt Pocono Airport Authority shall cease to exist the property conveyed shall revert and be reconveyed to the Commonwealth

Section 2 The grant or conveyance herein authorized shall be made for a consideration of one dollar ($1) Said grant or conveyance shall be affected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306, as follows:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one hundred (1-100) class providing for obtaining full benefits by contributors heretofore or hereafter making such change and imposing duties on the board in respect thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonweath and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 8

* * * * *

(9) A contributor whether an original member or a new member who is in active service on the first day of June one thousand nine hundred forty-nine may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and [thirty-seven] forty-nine Provided also That in the event of such transfer the per centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-sixtieth (1-160) class

Where a member has transferred from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall except as hereinafter provided be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution the time he contributed at the one one-hundred-sixtieth (1-160) rate bares to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

A contributor whether an original member or a new member on the first day of June one thousand nine hundred forty-nine and who heretofore has transferred or

shall hereafter transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided may on or before the thirty-first day of December one thousand nine hundred forty-nine pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her pay-roll each pay-roll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class and the sum of the amounts actually deducted or in lieu of the payment of a lump sum a member transferring as herein provided may pay such sum in installments through pay-roll deductions Such back payments may be spread over a period of years by having such regular payroll deductions of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated The state annuity upon retirement of any member having made such payments in full shall be the same as though the member had elected to contribute in the one one-hundrdeth (1-100) class immediately upon becoming a member

Section 2 The board shall within thirty (30) days after the effective date of this amendment give written notice to all employes still in the one one-hundred-sixtieth (1-160) class of the provilege herein provided

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act relating to public records of political subdivisions other than cities and counties of the first class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any public officer of any county other than counties of the first class city other than cities of the first class borough town township school school poor or institution district or agency thereof is required or authoried by law or otherwise to record copy or recopy any document plat paper or instrument of writing he may do so by any photostatic photographic microphotographic microfilm or other mechanical process which produces a clear accurate and permanent copy microcopy or reproduction of the original in accordance with standards not less than those approved for permanent records by the National Bureau of Standards Any such officer may also reproduce by such processes any document plat paper or instrument of writing which has previously been recorded copied or recopied

Section 2 Copies of records thus produced or enlarged reproductions of copies of records thus produced shall have the same effect and be admissible in evidence in like manner and under the same conditions as copies of original records produced in accordance with the law in effect immediately prior to the passage of this act

Section 3 Each roll of microfilm bearing official copies of records shall begin with a separate photographic image showing on a title target the name and location of the office holding the records copied the name and title of the officer having custody of the records at the date of copying a brief but clear title for the particular series of records copied and such volume numbers inclusive dates and serial numbers as shall make indentification of the records filmed clear and positive Each roll shall end with a separate photographic image repeating in substance the information given on the title target together with the signature of the camera operator appended to a certificate which shall state the day month and year on which the records were copied and affirm that the copying was performed in accordance with procedures prescribed by the custodian It shall be the responsibility of the custodian of the records copied to regulate and supervise the copying process and to inspect the resulting microcopies so as to satisfy himself that all copies are complete accurate and clearly legible When any enlarged reproduction of a negative or positive film is to be used as evidence the reproduction shall contain or have attached thereto the signed and sealed attestation of the officer having the official custody of the negative or positive film that the same is a true and correct copy thereof

Section 4 In order to provide insurance for the more actively used film copies against damage or loss through wear or disaster duplicate rolls of all microfilmed records shall be maintained at such locations as shall be approved by the court of common pleas of the proper county

Section 5 Reproduction from the master microfilm negative of records copied under the provisions of this act may be sold with the approval of the court of common pleas of the proper county except as hereinafter noted to title companies historical societies and other agencies or individuals and the proceeds from such sales deposited as miscellaneous revenue in the treasury of the governmental unit in which the records originated Microcopies of the records of the register of wills or of the clerk of the orphans' court may be sold with the

approval of the orphans' court of the proper county under the same conditions

Section 6 Records which have been reproduced or copied in accordance with section one of this act or other records which are deemed valueless may be destroyed or otherwise disposed of subject to the approval of the court of common pleas of the proper county The records of the register of wills and of the clerk of the orphans' court which have been so reproduced or which are deemed valueless may be destroyed or disposed of subject to the approval of the orphans' court of the proper county

Section 7 Whenever an original records received by or resting in the custody of any public officer shall in the opinion of the custodian possess such value that it merits special care a photographic or microphotographic copy of the record shall be made officially certified and placed on file in lieu of the original record and the original shall be transferred to the custody of the county commissioners of the proper county for permanent preservation such transfer being subject to the approval of the court of proper jurisdiction as provided in section 6 of this act

Section 8 The Secretary of Property and Supplies may at his discretion make available the services of the Department of Property and Supplies to political subdivisions of the Commonwealth for the purpose of photographing public records upon such terms and conditions as he may prescribe which terms shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services Any money payable to the Department of Property and Supplies by way of reimbursement shall be paid into the General Fund in the State Treasury through the Department of Revenue and credited to the appropriation from which the expense incurred by the Department of Property and Supplies was met

Section 9 The act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 739) entitled "An act authoriing the recording and copying of documents plats papers and instruments of writing by photostatic photographic or other mechanical process and relating to the effect and use of such copies and records" is hereby repealed so far as it is inconsistent with the provisions of this act

All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Teole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate procedded to the third reading and consideration of Senate Bill No. 409, as follows:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1352) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act and for each school year or fraction thereof for which credit is not otherwise provided for in this act and during which the contributor was [a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were] either granted a commission enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses Corps or other branch of the military forces of the United States during the Spanish-American War Mexican War World War I and World War II and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred seventeen a teacher instructor or supervisor in any state or semi-state orphan school Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years to prior service allowances for said present employe [to and including the thirtieth day of June nineteen hundred nineteen] The time during which an employe is absent without pay

shall not be included in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board or otherwise provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 453, on third reading, entitled:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervisors and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act providing for the payment of the compensation medical and hospital expenses of employes of cities of the second class who are injured in the performance of their duty and providing that absence during such injury shall not reduce any sick leave periods authorized by law or regulation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any employe of a city of the second class who is injured in the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of compensation until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality during the time salary for temporary incapacity shall be paid by the city any workmen's compensation received or collected by such employe for such period shall be turned over to such city and paid into the treasury thereof and if such payment shall not be so made by the employe the amount so due the city shall be deducted from any salary then or thereafter becoming due and owing

Section 2 No absence from duty of any such employe by reason of any such injury shall in any manner be included in any period of sick leave allowed such employe by law or by regulation of the city by which he is employed

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497, as follows:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Nursing Law of 1949"

Section 2 The practice of nursing as a registered nurse within the meaning of this act is the performance for compensation or personal profit of any professional service requiring the application of principles of nursing based on biological physical and social sciences such as responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medications as prescribed by a licensed physician and the application of such nursing procedures as involve under-

standing of cause and effect in order to safeguard life and health of a patient and others

Section 3 The practice of nursing as a licensed Practical Nurse or a Licensed Attendant within the meaning of this act is the performance of such duties as are required in the physical care of a patient or the carrying out of medical orders as prescribed by a licensed physician requiring an understanding of nursing but not requiring all the professional service or qualifications set forth in the definition of nursing as a licensed or registered nurse

Section 4 This act confers no authority to practice medicine or surgery nor does it prohibit

(1) Gratuitous nursing of the sick by friends or members of the [faimly] family

(2) Home care of the sick by friends domestic servants nurse maids companions or household aides of any type who are employed primarily in household duties or by any other person including a practical nurse or a person engaged in the business of practical nursing provided such person does not hold herself or himself out to be a registered nurse or a licensed practical nurse

(3) Domestic administration of family remedies by any person

(4) Nursing services in case of an emergency

(5) Nursing by a person temporarily in this State in compliance with an engagement made outside of this State which engagement requires that such person accompany and care for a patient while temporarily in this State Provided however That said engagement shall not be more than six months' duration

(6) Care of the sick with or without compensation or personal profit when done in connection with the practice of the religious tenets of any church by adherents thereof as long as they do not engage in the practice of nursing as defined in this act

(7) Auxiliary services rendered by persons carrying out duties necessary for the support of nursing service including those duties which involve minor services for patients performed under the direct supervision of professional or practical nurses

(8) Nursing services rendered by a student enrolled in an accredited school of nursing when these services are incidental to the course of study

(9) General duty nursing rendered by a graduate of such school working under qualified supervision following the completion of his or her course of nursing education and pending licensure for a period of one year following publication of the results of the first licensing examination scheduled following said completion of his or her course in nursing education and for such additional period pending the results of any other licensing examination taken by him or her as the board may in each case specially approve

(10) Nursing services rendered by a person holding a valid and subsisting license or other evidence of the right to practice nursing as a registered nurse or as a licensed practical nurse as those terms are defined in this Act issued by any other state territory province or country during the period that an application filed by such person for licensure in Pennsylvania is pending before the State Board of Examiners for Licensure and Registration of Nurses

Section 5 The State Board of Examiners for Licensure and Registration of Nurses shall once every year and at such other times and under such conditions as shall be provided by its regulations examine all applicants eligible for examination to determine whether they are qualified to be licensed and shall issue to each person passing said examination to the satisfaction of the board a proper certificate setting forth that such person has been licensed to nurse either as a registered nurse or as a licensed practical nurse

Section 6 No application for licensure as a registered nurse shall be considered unless accompanied by a fee of ten dollars ($10) Every applicant to be eligible for examination for licensure as a registered nurse shall furnish evidence satisfactory to the board that he or she is twenty (20) years of age or over is a citizen of the United States or has legally declared an intention to become such is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing and in hospitals and other approved agencies with which such schools are affiliated for periods of time amounting to at least a two years' course of instruction and has then graduated which school or combination of schools of nursing are on the approved list issued by the State Board of Examiners for Licensure and Registration of Nurses as hereinafter provided

Section 7 The board may license without examination a graduate of a school of nursing accredited in any other state territory province or country who has completed a course of study in nursing considered by the board to be equivalent to that required in this State at that time and who has licensed in such other state territory province or country by examination and has met all the foregoing requirements as to age character citizenship and preliminary education The board may admit to examination a graduate of a school of nursing accredited in Pennsylvania or in any other state territory province or country at the time of graduation or a person who has completed a course of study considered by the board to be equivalent of said course of study and has met all the requirements as to age character citizenship and preliminary education

Section 8 Every person legally entitled to practice as a registered nurse or to use the letters "R N" at the time this act becomes effective shall be considered as licensed to practice under this act and may continue to practice as such and use the title registered nurse and the letters "R N" upon the annual recordation of his or her license as required herein and subject to the conditions hereof Nothing in this act shall affect the right of bona fide students preparing on the effective date of this act for examination as registered nurses to take said examination The Board shall make such provision therefor as is necessary and may issue licenses instead of registration certificates

Section 9 No application for licensure to nurse as a licensed practical nurse shall be considered unless accompanied by a fee of five dollars ($5) Every applicant for examination as a licensed practical nurse must furnish evidence satisfactory to the board that he or she is eighteen (18) years of age or over is a citizen of the United States or has legally declared an intention to become such is of good moral character has completed at least the ninth grade in the public schools or its equivalent as evaluated by the Department of Public Instruction and has such other preliminary qualification requirements as the board may prescribe has completed the course of study in and holds a certificate of a school on the approved list issued by the board for the training of licensed practical nurses giving a course of not less than nine months or has had prior to the first day of November one thousand nine hundred fifty-two training which in the opinion of the board warrants the examination of said person for licensure as a licensed practical nurse Persons engaged in such nursing as would bring them within the definition of licensed practical nurse as defined herein may continue such practice without licensure or further qualifications until the first day of November one thousand nine hundred fifty two Such persons shall be entitled to licensure as licensed practical nurses without examination upon payment of the required fee and proof of the minimum qualifications as set forth herein The qualifications required by the board in such cases shall be proof that such person was actually engaged in Pennsylvania in such practice for a period of one year during the eight years prior to the first day of November one thousand nine hundred fifty-two is

eighteen (18) years of age or over is a citizen of the United States or has legally declared an intention to become such and is of good moral character

Section 10 The board may license without examination a graduate of a school for practical nursing accredited in any other state territory province or country who has completed a course of study in nursing considered by the board to be equivalent to that required in this State at that time and who was licensed in such state territory province or country by examination and has met the foregoing requirements as to age character citizenship and preliminary education The board may admit to examination a graduate of a school for practical nursing accredited in any other state territory province or country who has completed a course of study considered by the board to be equivalent to that required in this State at that time and has met all the requirements as to age character citizenship and preliminary education The board may admit to examination a person who in any other state territory province or country has reputably engaged in such nursing as would bring him or her within the definition of licensed practical nurse as defined herein for a period of one year during the eight years immediately prior to the first day of November one thousand nine hundred fifty-two in an approved hospital within such state territory province or country and meets the requirements as to age character citizenship and preliminary education

Section 11 Every person legally entitled to practice as a licensed attendant or to use the letters "LA" at the time this act become effective shall be considered as licensed to practice under this act and may continue to practice as such upon the annual recordation of his or her license as required herein and subject to the conditions hereof Any person entitled to practice as a licensed attendant may exchange the license for a license as a licensed practical nurse and may thereafter legally use the letters "LPN" instead of the letters "LA" Nothing in this act shall affect the right of a bona fide student preparing on the effective date of this act for examination as a licensed attendant to take such examination but the license issued therefor shall be a license as a licensed practical nurse The board shall make such provisions therefor as necessary and may issue licenses to make this provision effective

Section 12 The board shall subject to the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments have the right and duty to establish reasonable regulations for the administration of this act Copies of such regulations shall be available to the persons who may be interested therein The board shall have no power in any way to fix prices or control the compensation received by any registered nurse licensed practical nurse or licensed attendant

Section 13 The board shall on or before the first day of November one thousand nine hundred forty-nine and annually thereafter prepare and make available for public distribution lists of all schools of nursing or combinations of schools of nursing approved and classified by it the graduates of which shall be eligible for examination for licensure as registered nurses or licensed practical nurses The removal of any such school from the approved list shall not make any bona fide student therein at the time of said removal ineligible for examination upon proper completion of the required work

Section 14 Any person who has a valid license as a registered nurse or licensed attendant or licensed practical nurse and who has a valid Certificate of Record as hereinafter provided may practice as such and use the title Registered Nurse and the abbreviation "RN" or the title Licensed Attendant and the abbreviation "LA" or the title Licensed Practical Nurse and the abbreviation "LPN" as the case may be

Section 15 Each person upon being licensed by the board as a registered nurse or licensed practical nurse under the provisions of this act shall without additional fee therefore be given a card to be known as a "certificate of record" Each person legally entitled to practice as a registered nurse or licensed attendant on the effective date of this act shall on or before the first day of November one thousand nine hundred forty-nine present his or her license for recording in the office of the board accompanied by a recording fee of one dollar ($1) Annually after the original recording each person licensed by the board as a registered nurse or licensed practical nurse shall present his or her license for recording in the office of the board accompanied by a recording fee of one dollar ($1) Upon each recording the licensed person shall receive a certificate of record Each certificate of record shall show the year for which it is valid and shall entitle the recipient to practice as set forth thereon The form and method of such recording shall be provided for by the board in such manner as will enable the board to carry into effect the purposes of this act

Section 16 Except as otherwise herein provided it shall be unlawful for any person corporation or institution after the effective date of this act to

(1) Sell or fraudulently obtain or fraudulently furnish any nursing diploma license record or registration or aid or abet therein or

(2) Practice nursing as defined by this act under cover of any diploma license record or registration illegally or fraudulently obtained or sign or issue any such diploma license record or registration unlawfully or under fraudulent representation or mistake of fact in a material regard or

(3) Practice nursing as defined in this act unless said person is the holder of a valid certificate of record or

(4) Use in connection with his or her name the words licensed nurse registered nurse licensed attendant licensed practical nurse or the letters "RN" "LN' "'LA" "LPN" or any designation tending to imply that he or she is a licensed nurse or registered nurse or a licensed attendant or licensed practical nurse unless he or she is duly licensed and registered to so practice under the provisions of this act or

(5) Practice nursing during the time his or her license or certificate of record issued under the provisions of this act is suspended or revoked or

(6) Otherwise violate any of the provisions of this act

Section 17 Any person or the responsible officers or employes of any corporation co-partnership or association violating any of the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of not less than ten dollars ($10) for the first offense and not less than twenty-five dollars ($25) for the second and additional offenses and in no case more than two hundred dollars ($200) and in default of the payment of such fine and costs to undergo imprisonment for a period not to exceed ten (10) days

Section 18 The board may suspend or revoke any license or certificate of record in any case where the board shall find

(1) That the licensee is guilty of gross immorality

(2) That the licensee is unfit or incompetent by reason of negligence habits or other causes

(3) That the licensee has wilfully or repeatedly violated any of the provisions of this act or of the regulations of the board

(4) That the licensee has committed fraud or deceit in the practice of nursing or in securing his or her admission to such practice

(5) That the licensee has been convicted or has pleaded guilty or entered a plea of nole contendere or has been found guilty by a judge or jury of a crime or has been dishonorably discharged or discharged under circumstances amounting to a dishonorable discharge from the military forces of the United States or of any other country

(6) That the licensee is an habitual drunkard or is addicted to the use of morphine cocaine or other drugs

having a similar effect or if he or she has become mentally incompetent

(7) That the licensee is continuing to practice nursing when such registrant knows he or she has an infectious communicable or contagious disease

(8) That the licensee has been guilty of unprofessional conduct or such conduct as to require a suspension or revocation in the public interest

(9) That the licensee having obtained a license or certificate of record upon declaration of intention to become a citizen of the United States has not become a citizen of the United States within seven (7) years after the date of such declaration of intention

Section 19 All suspensions and revocations shall be made only in accordance with the regulations of the board and only by unanimous vote of the members of the board after a full and fair hearing before the board All actions of the board shall be taken subject to the right of notice hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment or re-enactment thereof relating to adjudication procedure The board by unanimous action and in accordance with its regulations may reissue any certificate of registration which has been suspended or revoked

Section 20 The following acts or parts of acts and their amendments are hereby repealed

The act approved the first day of May one thousand nine hundred nine (P. L. 321) entitled "An act to provide for State Registration of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" absolutely

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" absolutely

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 21 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. NEFF. Mr. President and Members of the Senate, the bill now before the Senate, Senate Bill No. 497, was first reported to the floor on March 22, and has been amended and passed over on five different legislative days. It is a measure that confuses me, and I believe many other Members of the Senate.

Mr. President, I have been beseeched by members of the fairer sex since March 22, and pleasantly so, to vote for and against this measure. I have found that practical nurses have been for and against the measure, registered nurses have been for and against the measure, and representatives of the various hospitals throughout the state have been for and against the measure.

I have been confused, and so being confused and seeking an answer, I have applied myself and finally decided that in the best interests of the people of the Commonwealth, our constituents, this bill should be voted down.

Mr. President, here today on the floor of the Senate we find that the bill provides, not as the proponents would have you believe, for a greater degree of efficiency in the nursing profession in the state but it actually detracts therefrom and will lead to the gradual degradation of this profession in the state. It provides for the licensing of nurses after one year of high school training and nine months of specialized training. It provides that a minimum of two years, plus four years high school training, rather than three years plus four years high school training, is all that would be required to receive a registered nurses certificate in the state. It seems to me that the move and the motivating purpose behind the sponsors of this bill is to receive for the hospitals in the state cheaper labor. They have said it will mean more efficiency in the home nursing, because of the passage of this bill. Now, I seriously question that contention. They tell us that it will mean cheaper professional nursing in the home, and I seriously question that contention, on the basis that I do not believe that nurses who are now working in the home for three or four or five dollars a day, will in any way cheapen themselves and their labor and their regard for themselves and their profession, once they are licensed. I believe it will cost us more for the home bedside nursing than it does today. I believe it will eventually mean the elimination of registered nurses of the high standards of which we are justly proud if this bill is passed, and I base my contention on the fact that today you must have a high school education and three years training to become a registered nurse. If this bill passes, you can become a licensed nurse and work in the hospitals in this state with only one year's high school training and nine months specialized training, and no girl, at least the great majority of girls contemplating entering the nursing profession, certainly would not consider spending four years of high school and two years, upon the passage of this act, in training without compensation, to receive work in a hospital, when they could receive the same employment at a slightly cheaper rate of pay, with one year in high school and nine months specialized training.

Mr. President, I believe that this bill is not a good bill for the people of Pennsylvania. It is sponsored by the Pennsylvania State Nurses Association, the officers of whom are all, to my knowledge, either supervisors or assistant supervisors in hospitals or state institutions throughout the state, or totally on the pay roll of the Association. I believe it is simply a move by the hospitals of the state to receive cheap labor at the expense of the infirm and ill of the state.

Mr. President, the state of Ohio considered such a measure, but they went about it a little differently than we here in Pennsylvania. The State Nurses Association in Ohio polled the nurses throughout the State, the registered nurses in the state, and the vote was two to one against adopting a measure such as this. A sad experience occurred in the state of New York. In the year 1939 New York passed a similar licensing bill, and as a result we find that the hospitals in New York are staffed to a great extent by practical licensed nurses rather than registered nurses who are competently trained and supervised by registered nurses with college degrees. In other words, in New York the nursing profession and the care of the sick and the invalid in the institutions of

the state have suffered because of the passage of a similar bill, and I hope that we in Pennsylvania do not have the same experience.

Mr. CHAPMAN. Mr. President, I think that the argument of the Senator from Lawrence is ill founded. As a physician I think I can prescribe better for him than he can prescribe for himself.

Now, Mr. President, let us just see who are in favor of this bill. First, the Secretary of Health, Dr. Vaux. Pennsylvania Federation of Women's Clubs. Pennsylvania Federation of Business and Profesisonal Women's Clubs. Hospital Council of Western Pennsylvania. Medical Society of the state of New York, and numerous county organizations of nurses, who are one hundred percent in favor of this bill.

Now, Mr. President, we have heard some of the letters read that nurses are against this bill. Let us see just who are against this bill. The Chicago Correspondence School for Nurses. A group of registered private nurses from Philadelphia with an affiliate group in Pittsburgh representing less than two hundred nurses. A small undergraduate group in Pittsburgh protest the bill for reasons which are not clearly defined. A minority of hospital administrators oppose the bill and their reasons are not clearly defined. Some maintain that they never hire practical nurses, which is their prerogative under this bill.

Mr. President, at the present time, the hospitals in Pennsylvania need practical nurses. The registered nurses are taking up their time performing menial work, changing beds and so on, which the practical nurses can do, and still at the same time they are taught the rudiments of antiseptics and how to give drugs, and to note the reaction of patients which are put under their charge.

Mr. President, a representative of one of the largest hospitals in Philadelphia came to see me, The Philadelphia General Hospital. By the way, they are not on the state-aided list, but they said that if this bill did not pass, with the few patients that are neurotic, which are to be taken care of in the various mental hospitals, also some tuberculosis patients which we have room for in our sanatoria, they will be obliged to apply to the state for $1,500,000 in order to run their hospital, but with the enactment of these bill, these other things would have been taken care of, and they would not ask the state of Pennsylvania for one cent for support.

Therefore, Mr. President, I ask my colleagues to vote for this bill.

Mr. DiSILVESTRO. Mr. President, I wish to corroborate the statement of the gentleman from Warren, Senator Chapman.

The gentleman he is referring to is a man of very high reputation. I was confronted with the same problem as the gentleman from Lawrence, Senator Neff, and I requested that he explain to me the position that I should take in this legislation, and he feels that these bills will greatly aid the nursing problem in the hospitals in the state of Pennsylvania.

Mr. President, the name of the gentleman referred to by Senator Chapman is Dr. Pascal F. Lucchesi, who is Superintendent and Medical Director of the Philadelphia General Hospital.

Mr. HOLLAND. Mr. President, I hate to take opposition, to my good friend Dr. Chapman, but I just cannot agree, and Senator Chapman and I have talked this matter over.

I, too, have had a lot of correspondence from the Pennsylvania State Nurses Association, and I found out that they also had an editorial, but this editorial later on was recinded in favor of this bill. I have a letter here from the Graduate Nurses Association of Pennsylvania and they also claim that they are not for the bill.

In addition to that, Mr. President, I have a very interesting letter from a man whom all of us, I believe, have a very high respect for and a great deal of regard, and that gentleman is Gale H. Walker, Superintendent of the Polk State School, one of the schools of the state which has done a lot of good work and which is very undermanned, and I would like to read the letter:

"In a recent meeting of superintendents of institutions and the Department of Welfare, the subject of the proposed bill for modification of the Nurse's Law came up for discussion and a committee of superintendents was appointed to study the legislation and report to the Secretary of Welfare and the Director of the Bureau of Mental Health concerning the affect it would have on operation of State Mental Institutions. Dr. Robert H. Israel, Superintendent of Warren State Hospital, was appointed Chairman of the committee. As you know, the Department of Welfare through the Bureau of Mental Health represents 43,600 hospital patients of Pennsylvania's average daily hospital census of 80,600.

"The proposed bill for the licensure of practical nurses was discussed and it was the unanimous opinion of the superintendents that the bill in its proposed form is highly inimical to the future welfare of our patients.

"The committee feels strongly that a great deal of damage will ensue if the bill is not radically altered, particularly as it affects the institutions under operation of the Department of Welfare.

"If this bill be passed, it is of particular importance to the welfare of our patients that a specific clause be inserted exempting all institutions under the Bureau of Mental Health from its application.

"The type of care which our patients require and which is usually described under the general head of "Nursing Service" is largely performed by our attendants and this bill will continue to be true for an indefinite period in the future. It is neither possible nor desirable to have nurses supervise all wards and, in addition, neither the hospital budgets nor the supply of nurses would permit this type of administration. The graduates of the three years' nursing program fill certain definite needs in mental institutions. It appears theoretical or practical experience in handling mental patients to be of particular value to mental institutions.

"There is every reason to believe that well-trained attendants, who have been schooled to cope with our special problems, will be much more competent. Any law which might be interpreted to interfere with the use of this type of personnel would be certain to result in marked injury to the administration of the hospitals and to the adequate care of the patients for whose recovery we are responsible.

"If there are any hearings on this bill, it would seem that Doctor Israel, as Chairman of the Committee, should

have the opportunity of voicing the facts solicited by his study and of his committee.

Very truly yours,

GALE H. WALKER, M.D.,
Superintendent."

Now, Mr. President, I do believe that a great number of the Members of this Senate are not really capable or competent enough at this time to vote on this bill. I believe we should have had a public hearing, because it is taking a grave step. The hospitals have, under the Act of 1927, the right to have hospital attendants, but they are not using it, and I do not see why now they would come and say we should have a second grade classification of nurses to use them as attendants. I think that they are called licensed attendants under the Act which was passed during the Fisher regime in 1927. They have that right now under Act 477, and that is all they are asking for again.

Mr. President, I think we are going to confuse the public when we have two sets of nurses; we are going to have a RN nurse, a registered nurse, and we are going to have a PN nurse, a practical nurse, but the average man on the street, after all he talks about a nurse as a nurse and he looks upon them as nurses, but when you have two classifications, a first and second grade nurse, I think it is going to be very confusing, and I think it is a step in the wrong direction.

Of course, Mr. President, we all realize that the scarcity of nurses today is a great problem, and it is a problem that we should be using all our efforts here to solve, but this is not the solution. In other words, there are other ways, I believe, that this body can make it easier for the nurses in the profession by taking away some of the menial labor that nurses have to go through before they become nurses, and raise the nursing profession, and I might add, that in the state hospitals, if we paid a decent wage, we could get more nurses, because the nursing profession is the most underpaid profession that I know of; no other profession works seven days a week as they do for the low wages that they receive.

Mr. President, I believe that this is a step in the wrong direction, because we are cheapening the nursing profession instead of helping it and inviting more people into the profession.

Mr. President, I think we should have at least had a public hearing to hear both sides of this case, so that you people may vote intelligently on it, and I ask the Members of this Senate, due to the fact that proper consideration has not been given, to vote down this bill at this time.

Mr. RUTH. Mr. President and Members of the Senate, yesterday afternoon I went to one of our State Hospitals to give sick communion. I rang the bell for twenty minutes to be admitted and nobody came. That was all the time I could spare. I went back this morning and rang it again for ten more minutes and finally a girl came, a nurse, and opened the door. Now I know what the reason was there, because the hospital is woefully undermanned with nurses, for the reason that there are no registered nurses that want those jobs. I believe from my knowledge of the institutions that fifty to sixty percent of the work could be done by these practical licensed nurses if we had them, and if we would give our mental institutions sufficient money that they could hire them, I believe we would be doing an untold good to those of our patients in our state hospitals.

Mr. President, I have been Chairman of The Training School of a hospital, one of the largest training schools in the state, for more than twenty years, and I know that it is hard to get girls to take up this profession. We are even offering a five year course, whereby in five years they graduate from college and from the training school as registered nurses, and have their Bachelor of Science Degree, and we have the finest living conditions in our training school of any in this state, and yet it is hard to get girls to take up this work. We have come to the point in our hospitals for a number of years where we have what we call workers, nurses-aides; they come in there and they do the menial work of the nurses because we cannot get enough girls from the regular registered nurses to carry on this menial work of scrubbing and things like nurses used to do. We have raised our educational standards to a point as high as any in the state and therefore I believe that in our hospitals, in our mental hospitals and in our homes, we could do a greater service if we had licensed practical nurses, and for my part I shall vote for this bill.

Mr. NEFF. Mr. President and Members of the Senate, I find myself compelled to take exception to the statement made by the distinguished gentleman from Warren, Dr. Chapman and also to the contentions of my colleague, the gentleman from Berks, Senator Ruth. They have contended that the purpose of this act is to provide more nurses where there is a dearth of nurses today. There is no law or any other reason that can prevent a hospital, physician or other consumers from employing practical nurses. They are as close as your closest phone. There is no law that prevents a hospital from giving in-training to as many auxiliary workers or aides and utilizing their services. What then is the purpose of this bill? Hospitals and consumers of nursing services can employ whoever they want today, but will they be able to do so if this bill is enacted into law?

Now, Mr. President, certainly there is a scarcity of registered nurses today, but there are several reasons other than has been stated by the proponents of this bill here on the floor today. One I think, as Senator Holland pointed out, is the low rate of pay, especially in the rural communities. Another is a restriction on the number of training schools and applicants accepted for training in these schools of registered nurses. Certainly I do not believe that the profession or the high standards of the profession can be maintained by bringing into our hospitals in great numbers nurses with one year of high school training and nine months of specialized training to replace registered nurses as we know them now, nurses who must have four years of high school training and three of specialized training in a nursing school of the state. I think that this bill, if passed, will be a blow to a very proud and honored profession in the state of Pennsylvania and will work to the detriment of the great majority of the citizens of the Commonwealth.

Mr. LANE. Mr. President, I am quite reluctant to take issue with the Membership on this side of the House. However, I believe we have gone far afield in discussing this piece of legislation.

Mr. President, I for one have examined this bill in detail and I am supporting the contention of the gentleman from Warren, Senator Chapman, and my colleague over here, Senator Ruth. I believe that all this bill does is standardize nursing. It gives the state an opportunity to register nurses, practical nurses, and I think that is good and proper, and I for one am going to support this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—39

Barr,	Haluska,	Meade,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Kephart,	Peelor,	Walker,
Chapman,	Lane,	Robinson,	Watkins,
Crowe,	Leader,	Ruth,	Watson,
Dent,	Letzler,	Scarlett,	Wolfe,
DiSilvestro,	Lord,	Stevenson,	Wood, L. H.,
Farrell,	Mahany,	Stiefel,	Yosko,
Frazier,	Mallery,	Tallman,	Wagner,
Geltz,	McPherson, Jr.,	Tarr,	Presiding Officer

NAYS—11

Barrett,	Donlan,	Neff,	Wade,
Diehm,	Holland,	Rosenfeld,	Wood, T. N.,
Doehla,	Homsher,	Snowden,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 498, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 187) and the act approved the thirteenth day of May one thousand nine hundred forty-seven (P. L. 211) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
- State Council of Education
- State Real Estate Commission
- Pennsylvania State Board of Censors
- Public School Employes' Retirement Board
- Board of Trustees of Thaddeus Stevens Trade School
- Board of Trustees of Pennsylvania State Oral School for the Deaf
- Board of Trustees of Pennsylvania Soldiers' Orphan School
- Board of Trustees of West Chester State Teachers' College
- Board of Trustees of Millersville State Teachers' College
- Board of Trustees of Kutztown State Teachers' College
- Board of Trustees of East Stroudsburg State Teachers' College
- Board of Trustees of Mansfield State Teachers' College
- Board of Trustees of Bloomsburg State Teachers' College
- Board of Trustees of Shippensburg State Teachers' College
- Board of Trustees of Lock Haven State Teachers' College
- Board of Trustees of Indiana State Teachers' College
- Board of Trustees of California State Teachers' College
- Board of Trustees of Slippery Rock State Teachers' College
- Board of Trustees of Edinboro State Teachers' College
- Board of Trustees of Clarion State Teachers' College
- Board of Trustees of Cheyney Training School for Teachers
- State Board of Medical Education and Licensure
- State Board of Pharmacy
- State Dental Council and Examining Board
- State Board of Optometrical Examiners
- State Board of Osteopathic Examiners
- Osteopathic Surgeons' Examining Board
- State Board of Examiners for [the] Licensure and Registration of Nurses
- State Board of Veterinary Medical Examiners
- State Board for the Examination of Public Accountants
- State Board of Examiners of Architects
- State Registration Board for Professional Engineers
- State Civil Service Commission

Public Service Institute Board

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section four hundred eighteen of said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 91) is hereby further amended to read as follows

Section 418 State Board of Examiners for Licensure and Registration of Nurses The State Board of Examiners and Licensure and Registration of Nurses shall consist of the Superintendent of Public Instruction ex officio and five members who shall be registered nurses graduated from schools of nursing where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since registration

The Governor shall upon the expiration of the term of office of any member appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the board of directors of the Pennsylvania State Nurses' Association for a term of six years and until a successor is appointed and qualified Vacancies shall be filled in like manner

Three members of the board shall constitute a quorum and the board shall select from among its members a chairman and shall elect a secretary who need not be a member of the board

The board with the approval of the Superintendent of Public Instruction shall also appoint and fix the compensation of one or more State educational advisors of schools of nursing who shall have the same qualifications as the members of the board

The members of the board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 3 Section one thousand three hundred ten of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and as repealed in part by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 158) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners for Licensure and Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, in order that my vote may not be taken to put me in an anomalous position on this matter, I should like to explain it. I am going to vote against this bill. While I did vote for Senate Bill No. 497, there are some of us who feel very keenly that some provision should be made to permit the practical nurses to be represented on the Board of Licensure. The sponsor of this legislation and the people interested in it seem to think that that is wrong. We feel, or least some of us do and I am one of them, that the experience of the people in the Legislature, who represent the people in the districts of this Commonwealth, is that sometimes, whether by inadvertence or deliberately, there is discrimination in the granting of licenses and a tendency not to recognize the rights of all the people who are seeking professional licenses. Since it seems, at this juncture at least, that the only way to register our protest to not permitting these practical nurses to be represented upon this Board, is to vote "no" on this bill, I shall be among those who will so vote on this bill.

Mr. WADE. Mr. President, I share the opinion of my colleague from Lehigh, Senator Tallman.

Mr. CHAPMAN. Mr. President, the idea of placing a practical nurse on the Registered Nurses Board reminds me of putting a justice of the peace on the Law Examiners Board. It is the same as putting an osteopath with a chiropractor. This will not do, they are not qualified. What does a practical nurse know concerning such duties until we get this Board set up? Possibly later on there may be that opportunity for the practical nurses when they are qualified. At the present time, they are not qualified to act.

Mr. President, I hope that my colleagues will all vote for this bill.

Mr. TALLMAN. Mr. President, I have no desire to prolong this debate. I merely want to say this, that if these practical nurses are good enough to be licensed,

then it seems to me that they are good enough to be represented.

Mr. LANE. Mr. President, I again support Doctor Chapman in his position today, especially upon the statement that he made, and I hope that when this chiropractors' bill comes up for consideration he will try to have the chiropractors examined by Medical Doctors.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Berger,	Geltz,	Mallery,	Stiefel,
Blass,	Haluska,	McPherson, Jr.,	Tarr,
Chapman,	Hare,	Meade,	Toole,
Crowe,	Kephart,	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
DiSilvestro,	Leader,	Robinson,	Watson,
Donlan,	Letzler,	Rosenfeld,	Wolfe,
Farrell,	Lord,	Ruth,	Wood, L. H.,
Frazier,	Mahany,	Scarlett,	Wagner,
			Presiding Officer

NAYS—14

Barr,	Holland,	Stevenson,	Wade,
Barrett,	Homsher,	Tallman,	Wood, T. N.,
Diehm,	Neff,	Taylor,	Yosko,
Doehla,	Snowden,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 533, as follows:

An Act to add section two hundred seventy-eight point one to the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended by adding after section two hundred seventy-eight thereof a new section to read as follows

Section 278.1. Certain Costs to Be Paid by Board of Fish Commissioners (a) Whenever any fish warden or other peace officer makes a complaint before any alderman magistrate or justice of the peace and secures a search warrant to search for fish caught taken killed or possessed contrary to the provisions of this act or for any device used for catching fish contrary to the provisions of this act and no such fish or device is found during such search all costs in such proceeding shall be paid by the Board of Fish Commissioners

(b) Whenever a defendant shall be imprisoned one day for each dollar of fine imposed under the provisions of this act the Board of Fish Commissioners shall pay one dollar ($1) per day for each day of such imprisonment to the county operating the jail in which such defendant is imprisoned for cost of his maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act to further amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved

the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1173) is hereby further amended to read as follows

Section 202 Qualifications and Salaries Each member of the commission at the time of his appointment and qualification shall be a citizen of the United States

No member of the commission during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The chairman of the commission shall receive a salary of [seven thousand two hundred fifty dollars ($7250) per annum] ten thousand five hundred dollars ($10,500) per annum The other members of the commission shall receive salaries at the rate of [six thousand seven hundred fifty dollars ($6750) per annum] ten thousand dollars ($10,000) per annum

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TARR. Mr. President, I am going to vote for this bill in the happy hope that at some near future date that those persons whom I might say are in authority and have to do with legislation will consider a pay raiser for the Members of the General Assembly.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. BARR. Mr. President, I desire to explain my vote. The reason I voted against this pay raise, the only one I think I have ever voted against in the Legislature, is that these men on this Milk Control Commission are not on the job. Why do the people of Pittsburgh pay two and one-half cents more for a quart of milk in the summer months than the people in the neighboring city of Cleveland, when the source of the supply of the milk comes from the same dairy farmers?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—45

Barrett,	Haluska,	Neff,	Tarr,
Berger,	Hare,	Pechan,	Taylor,
Blass,	Homsher,	Peelor,	Wade,
Chapman,	Kephart,	Robinson,	Walker,
Crowe,	Leader,	Rosenfeld,	Watkins,
Diehm,	Letzler,	Ruth,	Watson,
DiSilvestro,	Lord,	Scarlett,	Wolfe,
Doehla,	Mahany,	Snowden,	Wood, L. H.,
Donlan,	Mallery,	Stevenson,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Stiefel,	Yosko,
Frazier,	Meade,	Tallman,	Wagner,
Geltz,			Presiding Officer

NAYS—5

Barr,	Holland,	Lane,	Toole,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 577, as follows:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing that stock issued upon any increase of capital made by any stock insurance company may be exchanged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 326 Sale of Increases of Capital Stock Any increase of capital made by any stock insurance company may be issued at such price in excess of par as the stockholders may direct Each stockholder shall have the right to first subscribe for the new shares in proportion to his interest in the company Provided That no stockholder shall have such right to first subscribe for new shares if the stockholders holding the larger amount in value of the stock of the company direct subject to such equitable regulations as the directors may prescribe that

such new shares shall be issued in exchange for one or more bona fide outstanding shares of another insurance company in which the issuing company is authorized to invest or partly in such exchange and partly for cash where necessary to eliminate fractional shares and such exchange shall be approved by the Insurance Commissioner as hereinafter provided

The Insurance Commissioner shall examine the terms and conditions of such exchange and after holding a hearing at which all persons or parties to whom it is proposed to issue shares in such exchange shall have the right to appear shall either approve or disapprove the fairness of such terms and conditions

[Notice] Except when such an exchange is to be effected notice to the stockholders to exercise their rights to subscribe for and to take the stock at the price so fixed or waived such right shall be mailed to each stockholder at the last address of such stockholder appearing on the books or records of the company thirty days previous to the date fixed by the board of directors for the expiration of the right to subscribe and shall also be given by publication once a week for three (3) weeks in a newspaper of general circulation published in the city or county in which the company has its principal office

Any stock not subscribed for and taken by the stockholders may be sold and disposed of by the board of directors in such manner as the stockholders may direct but no such stock shall be sold or disposed of at a price less than that originally fixed by the stockholders

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDING OFFICER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. I will, Mr. President.

Mr. LANE. Mr. President, we discussed this bill in detail in Caucus, and I have yet to receive a satisfactory explanation. I would like the sponsor of this bill to explain in detail just what the bill does.

Mr. CROWE. Mr. President, this bill simply permits the Insurance Commission to pass on the exchange of insurance securities, and pass on increases in capital stock of Pennsylvania insurance companies. At the same time, it saves money, and makes it much easier for our Pennsylvania insurance companies.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barrett,	Geltz,	Meade,	Tarr,
Berger,	Haluska,	Neff,	Taylor,
Blass,	Hare,	Pechan,	Toole,
Chapman,	Holland,	Peelor,	Wade,
Crowe,	Homsher,	Robinson,	Walker,
Dent,	Kephart,	Rosenfeld,	Watkins,
Diehm,	Leader,	Ruth,	Watson,
DiSilvestro,	Letzler,	Scarlett,	Wolfe,
Doehla,	Lord,	Snowden,	Wood, L. H.,
Donlan,	Mahany,	Stevenson,	Wood, T. N.,
Farrell,	Mallery,	Stiefel,	Yosko,
Frazier,	McPherson, Jr.,	Tallman,	Wagner, Presiding Officer

NAYS—2

Barr,	Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act to amend section four hundred twenty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the salaries of the chairman and members of the Pennsylvania Securities Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the commission shall receive a salary at the rate of [seven thousand five hundred] eight thou-

sand five hundred dollars per annum The other members of the commission except the Secretary of Banking shall receive salaries at the rate of [seven thousand] eight thousand dollars per annum

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 588, as follows:

An Act making an appropriation to the Pennsylvania Aeronautics Commission for the payment of certain moral claims and providing for the hearing adjustment and payment of moral claims of persons whose property is damaged through negligence of employes of the Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred dollars ($100.00) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Aeronautics Commission for the purpose of compensating any persons for all expenses incurred by them by reason of any property damage suffered by such persons through the negligence of any employe of the commission in spraying or causing to be sprayed upon the vehicles of such persons aluminum paint

Section 2 Any persons heretofore or hereafter suffering damages as provided in section one of this act may present a claim for compensation to the Board of Finance and Revenue for the purpose of hearing and adjusting such claims The Chairman of the Pennsylvania Aeronautics Commission shall become a member of said board with full power of a member in any such claim

Section 3 The Board of Finance and Revenue shall hear and determine all such claims and if the board determines that such damages were caused by the negligence of the Pennsylvania Aeronautics Commission or its employes that a moral claim exists against the Commonwealth for such damages and that such claim or claims are not adjustable or recoverable under existing law against the Commonwealth it shall make a finding to that effect and shall fix the sum which it its opinion will compensate the claimant for such damages

Any amount so fixed by the Board of Finance and Revenue shall be payable from the appropriations hereinbefore made by requisition of the Chairman of the Pennsylvania Aeronautics Commission in the manner provided by law and to each such requisition shall be attached the findings of the board

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim in full or in part shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearing on any claim and make new findings as herebefore provided

Section 5 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 598, as follows:

An Act to amend section ten of the act approved the twelfth day of May one thousad nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" is hereby amended to read as follows

Section 10 Filing The filing officer shall mark upon the contract or copy filed with him the day and hour of filing and shall file the contract or copy in his office for public inspection He shall keep a separate book in which he shall enter the names of the seller and buyer the date of the contract the day and hour of filing a brief description of goods the price named in the contract and the date of cancellation thereof except that in entering the contract mentioned in section eight the recorder of deeds shall record either the sum remaining to be paid upon the contract or the price of the goods Such book shall be indexed under the name of both seller and buyer For filing and entering such contract or copy the filing officer shall be entitled to a fee of one dollar and fifty cents except that for filing and entering a contract described in section eight the recorder of deeds shall be entitled to the same fee as he is now allowed by law for similar services

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 601, as follows:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1352) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act and for each school year for which credit is not otherwise provided for in this act and during which the contributor was a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were either enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses' Corps of the United States and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred seventeen a teacher instructor or supervisor in any state or semi-state orphan school Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowances for said present employe to and including the thirtieth day of June nineteen hundred nineteen The time during which an employe is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board

Any person who is entitled to credit for service as a teacher instructor or supervisor in any state or semi-state orphan school prior to the eighteenth day of July one thousand nine hundred seventeen under the provisions of this section was retired prior to the fifth day of July one thousand nine hundred forty-seven shall be entitled to the benefits of such credit from the date of or his or her retirement

Section 2 The Commonwealth of Pennsylvania shall pay into the retirement fund an amount sufficient to pay the benefits resulting from the provisions of this amendment

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 628, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance authorized but unissued stock to officers and employes of company or subsidiary upon approval of majority of stockholders

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend title, page 2, third line from top of page, by inserting after the word "issuance" "of."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 628, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 640, on third reading, entitled:

An Act to repeal section five hundred thirty-four of the act, apporved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," relating to the right of certain mutual fire insurance companies to become stock companies.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 642, on third reading, entitled:

An Act to amend section eight hundred seven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating reserves with respect to domestic mutual fire insurance companies.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 655, as follows:

An Act to further amend the act approved the seventeenth of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections five hundred seventeen and six hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulations supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 963) are hereby further amended to read as follows

Section 517 Investment of Capital The capital of any stock fire stock marine or stock fire and marine insurance company of this Commonwealth shall be invested only as follows

(a) In such real estate as it is authorized by this act to hold

(b) In bonds of the United States or District of Columbia or of the State or Territory of the United States or Canada and in farm loan bonds issued by Federal Land Banks

(c) In the legally authorized bonds or notes of any city county township municipalities school or water district of this Commonwealth or of any other State or Territory of the United States or Canada

(d) In the bonds or notes of an solvent railroad or street railway corporations upon which no default in interest has been made

(e) In ground-rents and loans upon improved and unencumbered real estate No loan on such real estate shall exceed sixty-six and two-thirds per centum (66 2/3%) of the fair market value thereof at the time of making such loan Provided That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(f) In debentures issued by the Federal Housing Administrator in settlement of claims for insurance pursuant to title two of the National Housing Act

(g) In securities of national mortgage associations or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act

(g.1) In bonds notes or obligations issued assumed or guaranteed by the International Bank for Reconstruction and Development

(h) Any such company which has one million dollars of capital and one million dollars of surplus may invest in the capital of any like company organized under the laws of the Commonwealth or the laws of any of the United States solely to transact the same class of business in countries outside of the United States Such investment shall be limited to an amount not exceeding thirty per centum of the par value of the capital stock of the investing company

(i) The Insurance Commissioner may permit any such company to invest sufficient of its reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Section 602 Investment of Capital Every domestic stock casualty insurance company shall invest and keep invested in sound income-bearing securities all its capital and funds of every description excepting such cash as may be required in the transaction of the its business and such as it may invest in real estate as hereinafter authorized The capital of every such company shall be invested as follows

(a) In such real estate as it is authorized by this act to hold

(b) In bonds of the United States or District of Columbia or of any State or Territory of the United States or Canada and in farm loan bonds issued by Federal Land Banks

(c) In the legally authorized bonds or notes of any city county township municipality school or water district of this Commonwealth or of any other State or Territory of the United States or Canada

(d) In the bonds or notes of any solvent railroad or street railway corporation upon which no default in interest has been made

(e) In ground-rents and loans upon improved and unencumbered real estate Provided That no loan on such real estate shall exceed sixty-six and two-thirds per centum (66 2/3%) of the fair market value thereof at the time of making such loan And provided further That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(f) In debentures issued by the Federal Housing Administrators in settlement of claims for insurance pursuant to title two of the National Housing Act

(g) In securities of national mortgage associations or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act

(g.1) In bonds notes or obligations issued assumed or guaranteed by the International Bank or Reconstruction and Development

(h) Any such company which has one million dollars of capital and one million dollars of surplus may invest in the capital of any like company organized under the laws of this Commonwealth or of the laws of any of the United States solely to transact the same class of business in countries outside of the United State Such investment shall be limited to an amount not exceeding thirty per centum of the par value of the capital stock of the investing company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 657, as follows:

A Supplement to the act approved the first day of June one thousand nine hundred forty-three (P. L. 798) entitled "An act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation" by authorizing the Governor to enter into an amendment of the Atlantic States Marine Fisheries Compact providing that two or more states may constitute their representatives on such commission as a joint agency for the regulation of specific fisheries in which they have a common interest and may delegate to such agency such responsibility and duties as they may mutually agree upon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized and directed to enter into an amendment of the Atlantic States Marine Fisheries Compact provided for by the act to which this is a supplement with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Caroline South Carolina Georgie and Florida and such other states as may become party to that compact for the purpose of permitting the states that ratify this amendment to establish joint regulation of specific fisheries common to those states through the Atlantic States Marine Fisheries Commission and their representatives on that body such amendment to be in substantially the following form

Amendment No 1 of the Atlantic States Marine Fisheries Compact

The states consenting to this amendment agree that any two or more of them may designate the Atlantic States Marines Fisheries Commission as a joint regulatory agency with such powers as they may jointly confer from time to time for the regulation of the fishing operations of the citizens and vessels of such designating states with respect to specific fisheries in which such states have a common interest The representatives of such states on the Atlantic States Marine Fisheries Commission shall constitute a separate section of such Commission for the exercise of the additional powers so granted provided that the states so acting shall appropriate additional funds for this purpose The creation of such section as a joint regulatory agency shall not deprive the states participating therein of any of their privileges or powers or responsibilities in the Atlantic States Marine Fisheries Commission under the general compact

Section 2 Notice of intention to withdraw from this amendment shall be executed and transmitted by the Governor and shall be in accordance with Article XII of the Atlantic States Marine Fisheries Compact and shall be effective as to this State with those states which similarly ratify this amendment This amendment shall take effect as to this State with respect to such other of the aforesaid states as take similar action

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 660, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause treatment prevention and cure of the various types of nervous disorders and mental diseases and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million seven hundred thousand dollars ($2,700,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred forty-nine for the general maintenance and operation of the Western State Psychiatric Institute and Clinic by the University of Pittsburgh and the purchase of such appartus and equipment as the Trustees may deem necessary for the best interests of the purposes of the Institute and Clinic which purposes shall include the teaching of personnel for the staffs of the various mental institutions of the Commonwealth and the conduct of research in the causes treatment prevention and cause of the various types of nervous disorders and mental diseases in compliance with an act of the General Assembly providing for the lease of the Western State Psychiatric Institute and Clinic to the University of Pittsburgh

Section 2 Any income derived by the Board of Trustees of the University of Pittsburgh from the operation of the Western State Psychiatric Institute and Clinic shall be expended for the purpose of the operation and general maintenance of the said Institute and Clinic The Board of Trustees of the University of Pittsburgh shall not be required to use for the operation and maintenance of the Institute and Clinic any funds acquired by it for other purposes in order to receive the funds appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 661, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction and furnishing of building space to be used for instruction and dormitory

purposes in the training and housing of nurses who are in training in the University or serving in the hospitals comprising the Medical Center of the University of Pittsburgh and also those nurses employed and in training in the Western State Psychiatric Institute and Clinic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred twenty-five thousand dollars ($825,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred forty-nine to assist the University of Pittsburgh in the construction and furnishing of building space required for instruction and dormitory purposes in the training and housing of nurses employed or in training in the hospitals comprising the Medical Center of the University of Pittsburgh and also those nurses employed and in training in the Western State Psychiatric Institute and Clinic

Section 2 The moneys herein appropriated shall be available and expended only to the extent that a sum equal to four times the amount to be expended by the Commonwealth has been procured and made available and expended by the Board of Trustees of the University of Pittsburgh for the purposes herein set forth

Section 3 Upon receipt of the moneys herein appropriated the Board of Trustees of the University of Pittsburgh shall agree (1) that it will provide dormitory accommodations for up to one hundred and twenty-five nurses employed or in training in the Western State Psychiatric Institute and Clinic (2) that the proposed building for nurses to be constructed and furnished by the University shall accommodate a total of approximately six hundred twenty-five nurses (3) that charges for rental of the rooms and food services for the nurses from the Western State Psychiatric Institute and Clinic shall be at the same rate as is charged to the nurses from the other hospitals making up the Medical Center of the University of Pittsburgh and (4) that said charges shall be based on per capita costs of operating the facilities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 669, on third reading, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees, and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 673, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 678, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or many continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 711, as follows:

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled

"An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the fifth day of June one htousand nine hundred forty-seven (P. L. 453) is hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(d) The tax collector of boroughs towns and townships of the second class and his sureties shall be discharged from further liability on his bond for the taxes charged in a duplicate delivered to him as soon as all tax items contained in the said duplicate are either (1) collected and paid over to the proper taxing district or (2) certified to the taxing authority for entry as liens in the office of the prothonotary or (3) returned to the county commissioners for sale of the real estate by the county treasurers or (4) in the case of occupation poll and per capita and personal property taxes accounted for by the payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation by the tax collector that he has complied with section twenty of this act Provided however That the tax collector and his sureties shall not be discharged of their liability under the provisions of this subsection if the tax collector has in fact collected such taxes but has failed to pay the same over to the proper taxing district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 721, as follows:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Boards of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by prohibiting any dredging operations deemed inimical to the project

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" is hereby amended to read as follows

Section 3 Powers and Duties The Water and Power Resources Board is hereby authorized to clean out widen alter dredge deepen or change the course current or channel of the Schuylkill River or any of the tributaries to fill up any abandoned canal or watercourse to construct and maintain levees dikes walls revetments dams reservoirs and other works and improvements deemed necessary to carry out the purposes of this act and to prohibit any dredging operation deemed inimical thereto it shall also have the power to control and regulate the flow of the Schuylkill River and its tributaries during the period of the execution of the project to construct or enlarge bridges and culverts to construct and relocate public highways to construct any of said works and improvements across or through any public highway canal railroad right-of-way or tracks to remove change the location of or construct any of the above mentioned structures and facilities or such other structures or facilities as are necessary to carry out the intent of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I do not hope to influence any votes, but I intend to vote "no" on this bill. As I read the bill and as I understand the operations of the Schuylkill River, this means the men who are now dredging that river for legitimate coal, who take it out of the river, make briquettes out of it and sell it to people along the valley, will now be prohibited from doing this very necessary operation, because in the opinion of some people, it is interfering with the job that is being done by the much touted Admiral in charge of the Schuylkill River Navy. It seems to me, Mr. President, if we had approached that job from the beginning on the same basis as these men who have approached it from the receiving or taking from the river valuable minerals and re-selling these minerals, it would have saved the Commonwealth of Pennsylvania untold millions of dollars.

Mr. LLOYD H. WOOD. Mr. President, I desire to

interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. LLOYD H. WOOD. Mr. President, would the gentleman from Westmoreland, Senator Dent, please bring me up to date as to just whereabouts on the Schuylkill River they are removing coal out of which they are manufacturing briquettes?

Mr. DENT. Mr. President, the only thing I have to back me up is a letter that is in my office stating it is being done on the Schuylkill River, and can be done to the tune of 300,000,000 tons of coal.

Mr. LLOYD H. WOOD. Mr. President, I do not want to dispute anything that his informant might have said; what I think his informant meant to say is that it is potentially possible, but I do not think they are manufacturing briquettes on the Schuylkill at the moment.

Mr. DENT. Mr. President, I would like to interrogate the gentleman from Montgomery, Senator Wood.

The PRESIDING OFFICER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. WOOD. Mr. President, I will.

Mr. DENT. Mr. President, will the gentleman tell me why this bill is necessary if no one else is dredging the Schuylkill River except Mr. Draemel at this moment?

Mr. WOOD. Well, Mr. President, I would imagine the answer to that is obvious. We are sinking $35,000,000, and we want an unchallenged right of way.

Mr. DENT. Thank you very kindly, but it seems to me if no one else but the Admiral is dredging the river, they certainly do not need any help from the Legislature to stop somebody from doing something they are not doing.

Mr. LANE. Mr. President, the statement by the distinguished Senator from Montgomery, Mr. Wood, has borne out the position I took quite a while ago when I said we are lining the bottom of the Schuylkill River with the taxpayers gold.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barrett,	Geltz,	Meade,	Tallman,
Berger,	Haluska,	Pechan,	Taylor,
Blass,	Hare,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Diehm,	Leader,	Ruth,	Watson,
DiSilvestro,	Letzler,	Scarlett,	Wolfe,
Doehla,	Lord,	Snowden,	Wood, L. H.,
Donlan,	Mahany,	Stevenson,	Wood, T. N.,
Farrell,	Mallery,	Stiefel,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—8

Barr,	Holland,	Neff,	Toole,
Dent,	Lane,	Tarr,	Wagner, Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 723, on third reading, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 725, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations betwen public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administrating this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for en-

forcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots and eliminating expired provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment procedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation of pulpwood or chemical wood from woodlots

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation of pulpwood or chemical wood from woodlots

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done

rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and
* * * * *
the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for the use in any primary general or special election [or in the transportation of wood used in the manufacture of charcoal and wood chemicals or in the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation of pulpwood or chemical wood from woodlots
* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [or the transportation of wood used in the manufacture of charcoal and wood chemicals or the transportation of logs or pulpwood used in the manufacture of paper] or the transportation of pulpwood or chemical wood from woodlots

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 729, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilties defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the reglation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilties and regulating the exercise surrender or abandonment of their powers privileges and franchise defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a per-

missive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the precedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction material (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation by towing of wrecked or disabled motor vehicles

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle or sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] or (g) transportation by towing of wrecked or disabled motor vehicles

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [or in the transportation of wood used in the manufacture of charcoal and wood chemicals or in the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation by towing of wrecked or disabled motor vehicles

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in con-

nection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this commonwealth for use in any primary general or special election [or the transportation of wood used in the manufacture of charcoal and wood chemicals or the transportation of logs or pulpwood used in the manufacture of paper] or the transportation by towing of wrecked or disabled motor vehicles

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	McPherson, Jr.,	Tarr,
Barrett,	Haluska,	Meade,	Taylor,
Berger,	Hare,	Neff,	Toole,
Blass,	Holland,	Pechan,	Wade,
Chapman,	Homsher,	Peelor,	Walker,
Crowe,	Kephart,	Robinson,	Watkins,
Dent,	Lane,	Rosenfeld,	Watson,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Scarlett,	Wood, L. H.,
Doehla,	Lord,	Snowden,	Wood, T. N.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,			Presiding Office

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 733, on third reading, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations betwen public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment procedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of injured ill or dead persons by ambulance and eliminating expired provisions

go over in its order.

The PRESIDING OFFICER: Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 755, as follows:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of members of the State Athletic Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the

salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1354) is hereby further amended to read as follows

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio.

Each member of the commission except the Secretary of Revenue and the chairman shall receive a salary of [five thousand five hundred] seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor

The commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, as follows:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever legislation by the Federal Government shall require designation for the purposes hereinafter mentioned of a State educational authority to apply to and receive from the Federal Government or any agency thereof any Federal grants appropriations or allocations the Superintendent of Public Instruction is hereby so designated and authorized to apply for any such grants appropriations or allocations on behalf of the Commonwealth of Pennsylvania for any or all of the following

(1) Any classification or division of public education and related programs including early childhood elementary secondary general vocational technical adult or extension education and libraries which is or will be administered by or under the jurisdiction or authority of the Superintendent of Public Instruction

(2) The construction procurement acquisition and lease or rental of public school buildings facilities or equipment

(3) The improvement of teacher preparation

(4) The establishment and maintenance of scholarships and scholarship-loan programs

(5) The administration of the office of the Superintendent of Public Instruction in connection with such grants appropriations or allocations which may now or hereafter be available or apportioned to the Commonwealth of Pennsylvania or any local public school jurisdiction or other State public education agency therein

(6) Or for any other purpose for which Federal funds shall be made available for the aid of education

Section 2 To these ends and purposes the Superintendent of Public Instruction is authorized directed and empowered

(1) To originate the documentary data prerequisite to the disbursement of all funds made available at any time by the Federal Government to the Commonwealth of Pennsylvania for said purposes in accordance with existing and usual procedures covering disbursements from the State Treasury

(2) To adopt carry out and administer a plan or plans rules or regulations for any such purposes not contrary to or inconsistent with the laws of this Commonwealth Such plan or plans rules or regulations so adopted shall be made statewide in application insofar as reasonably feasible possible or permissible and shall be so devised as to meet the approval of the Federal Government or any of its agencies

Section 3 Such grants appropriations or allocations from the Federal Government as may be received by the Superintendent of Public Instruction or the State educational authority for the Commonwealth of Pennsylvania under the provisions of this act shall be paid in to the State Treasury Disbursement of such funds from the State Treasury shall be by warrant of the Auditor General

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 768, as follows:

An Act to add clause (v) to section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby amended by adding at the end thereof a new clause to read as follows

Section 2801A Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical and Museum Commission shall have the power and its duties shall be

* * * * *

(v) To establish supervise and operate in cooperation with the Department of Military Affairs an extension museum of materials pertaining to war history at the Indiantown Gap Military Reservation To achieve such purpose the commission may lend materials from its collections for exhibition at such extension museum

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, as follows:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the thirty-second judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred and forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the next municipal election in November one thousand nine hundred and forty-nine the qualified electors of the said thirty-second judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said thirty-second judicial district from the first Monday in January one thousand nine hundred and fifty for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint

a competent person learned in the law as such additional law judge of the court of comomn pleas of the said thirty-second judicial district to serve until the first Monday of January one thousand nine hundred and fifty

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Office

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 781, as follows:

An Act to amend the title and the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 884) entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties where such husband and wife as subsequently divorced providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced and directing the distribution of the proceeds of such sale" by providing for the creation of a tenancy in common upon divorce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one three and four of the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 884) entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties where such husband and wife as subsequently divorced providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced and directing the distribution of the proceeds of such sale" are hereby amended to read as follows

An Act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenannts by entireties where such husband and wife [as] are subsequently divorced creating a tenancy in common in such cases providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced and directing the distribution of the proceeds of such sale

Section 1 Be it enacted &c That whenever any husband and wife hereafter acquiring property as tenants by entireties shall be divorced [either of such tenants as entireties] they shall thereafter hold such property as tenants in common of equal one-half shares in value and either of them may bring suit in the court of common pleas sitting in equity of the county where the property is situate against the other to have the property sold and the proceeds divided between them The summons in such suit shall be served in the same manner and with like effect as in cases of partition at law

At the hearing on such suit both husband and wife shall be competent witnesses The value of the property shall be proven by the testimony of at least two impartial and disinterested witnesses

Section 3 [In any case where a husband and wife shall hereafter acquire property as tenants by entireties and shall be divorced the interest of each of the respective tenants by entireties subsequent to said divorce shall be conclusively deemed to be one-half of the value of the property and to accomplish the provisions of this act the common-law rule relating to entireties is hereby modified] The proceeds of any sale had under the provisions of this act after the payment of the expenses thereof shall be equally divided between the [tenants by entireties] parties subject however to the deduction therefrom of the amount of any lien entered of record jointly against both of the respective [tenants by entireties] parties together with any interest due thereon and docket costs which shall be paid by the trustee appointed by the court to make sale of such property to the person or persons to whom the same is due and payable and the amount of any liens entered of record against either of such [tenants by entireties] parties together with interest due and costs taxed thereon shall be deducted from the share of the [tenant by entireties] party against whom such lien is filed and paid by such trustee to the person or persons to whom the same is due and payable Provided however That no decree of divorce as aforesaid shall be effective to change the existing law relating to liens upon property held by tenants by the entireties except a decree of divorce that is valid in this Commonwealth and not until the said decree of divorce or a certified copy thereof shall be recorded in the office of the recorder of deeds of the county where the property is situate which decree shall be indexed in the grantor's index against each of the said tenants by the entireties

If the whereabouts of the defendant is unknown his or her share shall be paid into the court to be disposed of according to law under the direction of the court

Section 4 If property [held by tenants by entireties] sought to be sold under the provisions of this act is located in more than one county proceedings may be had in any county where any of such land is located Provided That in such cases all advertising required by this act shall be done in each county where any portion of such land is located and a certified copy of the record shall be filed in the office of the prothonotary of each of such counties and shall be received in evidence with like effect as the records of the court where filed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. BLASS. Mr. President, I want to express my reason for voting "no." It is because in my opinion this legislation is unconstitutional, and that it will disturb vested rights.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Geltz,	Meade,	Taylor,
Barrett,	Haluska,	Neff,	Toole,
Berger,	Hare,	Pechan,	Wade,
Chapman,	Holland,	Peelor,	Walker,
Crowe,	Homsher,	Rosenfeld,	Watkins,

Dent,	Kephart,	Ruth,	Watson,
Diehm,	Lane,	Scarlett,	Wolfe,
DiSilvestro,	Leader,	Snowden,	Wood, L. H.,
Doehla,	Letzler,	Stevenson,	Wood, T. N.,
Donlan,	Lord,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier.	McPherson, Jr.,	Tarr,	Presiding Officer

NAYS—3

Blass	Mahany,	Robinson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 783, on third reading, entitled:

An Act to amend clause (6) of section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 849) entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehalibitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties" by further defining the term physical restoration.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 793, as follows:

An Act to further amend section two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the catching and taking of terrapin on Sunday

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the thirty-first day of March one thousand nine hundred forty-three (P. L. 26) is hereby further amended to read as follows

Section 265 Sunday Fishing Lawful Exception It is lawful to fish in any of the waters wholly within or on the boundaries of this Commonwealth for any species of fish during the open season therefor with not more than two rods and lines and one hand line with not more than three hooks attached to either line and to take bait-fish and fish-bait with a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter and [it is also lawful] to catch and take pickerel and perch when tipups are used while fishing through holes in the ice and it is also lawful to catch and take terrapin on the first day of the week commonly called Sunday if the consent of the owner or lessee of the land abutting on a stream or body of water and of the bed thereunder where the fishing is done has first been secured but no such consent shall be required to fish in the manner above provided in a stream or body of water on State-owned or Federal lands nor in a river or body of water the bed of which is publicly owned except where the fishing is done from abutting land privately owned in which case the consent of the owner or lessee shall first have been secured It is unlawful to fish on any Sunday in any other manner than hereinbefore provided or in streams and waters contrary to the provisions of this section Any person violating any of the provisions of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of twenty-five dollars

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	McPherson, Jr.,	Tallman,
Barrett,	Haluska,	Meade,	Tarr,
Berger,	Hare.	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Crowe,	Homsher,	Peelor,	Walker,
Dent,	Kephart,	Robinson,	Watkins,
Diehm,	Lane,	Rosenfeld,	Watson,
DiSilvestro,	Leader,	Ruth,	Wolfe,
Doehla,	Letzler,	Scarlett,	Wood, L. H.,
Donlan,	Lord,	Snowden,	Wood, T. N.,
Farrell,	Mahany,	Stevenson,	Yosko,
Frazier,	Mallery,	Stiefel,	Wagner,
			Presiding Officer

NAYS—2

Chapman,	Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 883, a sfollows:

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That whenever any special primary municipal or general election has been held and errors of commission or omission have occurred or have been made in connection with the preliminary requirements therefor or in the conduct thereof and no action contest or suit has been instituted concerning any such election or its returns or its certification within one year from the date thereof any such election its return and the certification made thereon are hereby ratified and validated Provided however this act shall in no event disturb affect or validate any election its return or certification thereon wherein legal proceedings relating thereto and involving fraud or any error have already been instituted or are now pending

Section 2 All other acts or parts of acts inconsistent herewith be and same are hereby repealed

Section 3 The provisions of this act shall become effective immediatly upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Office

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 979, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (P. L. 555), entitled "An act providing for the regulation of dams, or other structures or obstructions, as defined herein, in, along, across, or projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; vesting certain powers and duties in the Water Supply Commission of Pennsylvania, for this purpose; and providing penalties for the violation of the provisions hereof," by further defining water obstructions; and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1004, as follows:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies as agent for the Department of Commerce and subject to the approval of the Governor is hereby authorized to convey the following tract or parcel of land situate in Fairview Township York County Pennsylvania being a part of land now owned by the Commonwealth of Pennsylvania and more fully described as beginning at a corner of lands of grantor near the York Road and running thence with the westerly line of lands of grantor herein South 3 degrees 03' 30" West 248.27 feet to a point thence further with line of lands of grantor North 84 degrees 07' 30" West 112.46 feet to a point in the center of York Road said point being the beginning of tract herein conveyed thence along the center of York Road the following courses and distances South 15 degrees 28' 10" West 200 feet South 10 degrees 27' 30" West 200.00 feet South 5 degrees 54' 30" West 156.56 feet to a point in the center of York Road thence North 87 degrees 39' 30" West 15.00 feet to a point in the westerly line of lands of grantor thence with line of lands of grantor the following courses and distances North 2 degrees 21' 00" East 381.85 feet North 7 degrees 35' 00" East 173.00 feet South 84 degrees 07' 30" East 82.70 feet to the place of Beginning containing an area of 0.56 acres more or less and being subject to all legal highways in exchange for a grant and conveyance of a tract or parcel of land situate in Fairview Township York County Pennsylvania and being a part of that tract now or formerly owned by Charles B. Norford and being more fully described as beginning at a corner of lands of grantor herein near the York Road and running thence with the easterly line of lands of grantor South 3 degrees 03' 30" West 248.27 feet to a point thence North 84 degrees 07' 30" West 112.46 feet to a point in the center of aforementioned York Road thence North 20 degrees 28' 54" East 256.82 feet to a point in the center of York Road thence South 83 degrees 14' 30" East 35.50 feet to the place of Beginning containing an area of 0.42 acres more or less and being subject to all legal highways

Section 2 Before such exchange of conveyances is made the Department of Property and Supplies shall enter into a written agreement with the parties involved subject to the approval of the Governor

Section 3 The title to the tract to be acquired by the Commonwealth shall be approved by the Department of Justice

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	Wagner,
Frazier,	McPherson, Jr.,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on second reading entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school district are not wholly within a city

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 69, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 252, on second reading, entitled:

An Act to amend the title and to further amend sections three and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," by providing for the reception, care, maintenance, detention, employment, and training of psychopathic delinquents.

be recommitted to the Committee on Public Health and Welfare,

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 258, entitled:

An Act to amend Article twelve, Sections twelve hundred two, twelve hundred three, and twelve hundred ten, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation of municipal corporations of metropolitan districts by cities of the third class boroughs towns and townships to carry out certain of their governmental functions in a more efficient manner prescribing the officers and powers and duties of such districts and the duties of participating municipalities and conferring jurisdiction on courts of quarter sessions in connection therewith

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 325, entitled:

An Act to amend section eight hundred two of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations, may

be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 327, on second reading, entitled:

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties and repealing certain acts," by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof; and by further regulating insurance in connection with such sales.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 389, on second reading, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston, both situated in Luzerne County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President. I move that Senate Bill No. 449, on second reading, entitled:

An Act to promote the welfare of the veterans of this Commonwealth creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to Veterans to establish or continue themselves in business or professions authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act prescribing the powers and duties of said Authority and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 450, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further defining the scope of the act and by authorizing nonprofit medical and osteopathic service corporations to provide osteopathic services by doctors of estopathy to subscribers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 451, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of non-profit medical service corporation organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the fund of such corporations, and the right of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, co-partnership, association, common law trust or corporation, except a non-profit medical service corporation, from providing medical services on a non-profit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 544, on second reading, entitled:

An Act to further amend the first paragraph of section eight of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptons from taxation execution attachment levy and sale and making an appropriation" by further prescribing the number of eligible employes necessary for municipalities to join said retirement system.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 619, on second reading, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for suplemental applications to be filed by persons entering an existing business the fictitious name of which has been filed under said act

be recommitted to the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to further amend section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of emplpoyes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and esttablishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the powers of the Pennsylvania Labor Relations Board

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 698, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue liquor licenses to airport restaurants without regard to population restrictions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 702, on second reading, entitled:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend section 2 of the act aprpoved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject o certain limitations

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing

license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 1 (Sec. 7) page 4, line 1, by inserting after the word "thereof" the following: "In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license"; Amend Sec. 1 (Sec. 7), page 4, line 20, by striking out the word "Renewal" and inserting in lieu thereof: "of a new license"

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 735, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing that application or a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 2 (Sec. 404), page 6, line 11, by inserting after the word "thereof" the following: "In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license"; Amend Sec. 2 (Sec. 404), page 6, line 18, by inserting after the word "provided" the following: "who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license, or to renew or transfer a hotel restaurant or club liquor license may appeal"; Amend Sec. 2 (Sec. 404), page 7, lines 1 to 5, by striking out "who or which is aggrieved by the" in line 1, all of lines 2, 3 and 4, and the words "license may appeal" in line 5, and inserting in lieu thereof: "aggrieved by the action of the board in granting the issuance of a new hotel restaurant or club liquor license or the transfer of a hotel, restaurant or club liquor license, may take an appeal limited to the question of such grievance"; Amend Sec. 2 (Sec. 404), page 7, line 6, by striking out the word "of" where it appears the second time in said line, and inserting in lieu thereof: "or"; Amend Sec. 2 (Sec. 404), page 7, lines 8 to 11, by striking out "the appeal by a church, hospital, charitable" in line 8, all of lines 9 and 10, and the words "By Such Appellant" in line 11; Amend Sec 2 (Sec. 404), page 8, line 1, by inserting after the word "or" the following: "the renewal or"

They were agreed to.

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 736, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations regulating the purchase possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies restricting the issuance of licenses to clubs not included among said units conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1192, on second reading, entitled:

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from comittees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the number of signatures required on nominating petitions of associate judges unlearned in the law

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 718, entitled:

An Act to add section five hundred twenty-two to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising and consolidating and changing the laws relating thereto" **by requiring a consolidated** report b school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board imposing duties on the Department of Public Instruction and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts. county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by clarifying provisions for payment of compensation of constables and their deputies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1134, entitled:

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the title were publicly read as follows:

Senate Bill No. 11, entitled:

An Act to amend section one thousand three hundred twenty-seven of the act, approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled.

Senate Bill No. 60, entitled:

An Act to amend section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for reimbursement by the Commonwealth for transportation of pupils in case of consolidation of certain school districts with other districts.

Senate Bill No. 61, entitled:

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by redefining consolidated schools and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

Senate Bill No. 66, entitled:

An Act to amend section seven hundred fifty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time.

Senate Bill No. 68, entitled:

An Act to amend section one thousand seven hundred seven of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the management of joint schools or joint school committee providing for the formation of such a committee and imposing duties and conferring powers upon the same.

Senate Bill No. 232, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison, Clinton County Pennsylvania with the approval of the Governor

Senate Bill No. 351, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers.

Senate Bill No. 428.

An Act making the title acquired by a political subdivision on condemnation a fee simple title except in certain cases.

Senate Bill No. 523, entitled:

An Act to further amend sections ten and fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that certain claims may be signed by or have stamped thereon the facsimile signature of the chief of the delinquent tax bureau.

Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

Senate Bill No. 604, entitled:

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

STATEMENT OF MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I would like to respectfully call to the attention of the Members of the Senate that tomorrow evening we Members of the Senate have a very important engagement with the Fourth Estate. We are going to try to have as speedy a Session as possible, and if any of the Members feel an oration coming on, I suggest that they put it off until Wednesday so that we can get out promptly in order to give the members of the press time to don their theatrical costumes for the round-up.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 5, 1949, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:35 o'clock, p. m., Eastern Standard Time, until Tuesday, April 5, 1949, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 4, 1949

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer offered the following prayer:

O God, Who art the Giver of all light; help us we pray Thee, to walk this day as children of the light. Bless our Assembly with the brightness of Thy presence. Help us to be honest and diligent in all that we have to do. Put far from us all cowardice and deceit, and every work of darkness. Grant that we may learn to be kind to one another, so that we may follow in the footsteps of Him whom Thou hast given to be our Master, Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, March 31, 1949.

The Clerk proceeded to read the Journal of Thursday, March 31, 1949, when, on motion of Mr. FOX unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS, 565, 616, 736, 805, 865 AND HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 176

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 565, Printer's No. 215, entitled "An Act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act."

JAMES H. DUFF.

April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 616, Printer's No. 110, entitled "An Act to amend section three of the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 529) entitled 'An act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise' changing the fee for filing notice of liens in the office of the prothonotary."

JAMES H. DUFF.

April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 736, Printer's No. 113, entitled "An Act validating certain sales of and deeds to real property made by county commissioners in good faith under a mistake of law."

JAMES H. DUFF.

March 31, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 805, Printer's No. 132, entitled "An Act authorizing and empowering the Delaware River Joint Toll Bridge Commission for the effectuation of its authorized purposes to enter upon use overpass occupy enlarge construct improve or close any easement street road or highway located within the limits of any municipality in Pennsylvania or to use occupy or take property now or hereafter vested in or held by any municipality in Pennsylvania without requiring the consent of the municipality or the governing body thereof prescribing conditions for the exercise of such powers by the Commission and conferring jurisdiction on certain courts of common pleas."

JAMES H. DUFF.

April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 865, Printer's No. 429, entitled "An Act making an appropriation to the Department of Property and Supplies for the cost of acquisition of a tract of land in Dauphin County formerly the property of the United States Government."

JAMES H. DUFF.

April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 176, Printer's No. 43, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. DENNISON from the Committee on Highways, reported as amended, House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

Mr. HERMAN from the Committee on Counties, reported as amended, House Bill No. 1070, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," by correcting an error in the salary of the coroner.

Mr. HERMAN from the Committee on Counties, reported as amended, House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association and the time to be spent at such meetings and providing for the payment of dues of such associations by counties.

HONORABLE DALE F. SHUGART WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming to the Hall of the House, Honorable Dale F. Shugart, President Judge of the Court of Common Pleas of Cumberland County. He is the guest of the gentleman from Cumberland, Mr. George.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House a former Member from Allegheny County, Honorable William Johnson.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 363, entitled:

An Act to amend section twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by changing the amount of the county annuity to which a beneficiary is entitled upon retirement for superannuation

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809), entitled "An act removing certain roads or sections of road from the State Highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvements under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to amend section four hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further defining the powers of local authorities as to children

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 180, entitled:

An Act to add section four hundred fifty-two to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing such counties to appropriate money to incorporated nonsectarian boys and girls clubs

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 282, entitled:

An Act to amend sections eight hundred fifteen and eight hundred twenty-five of Article VIII of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting target shooting during the big game season extending hunting privilege revocation periods for shooting at wounding or killing human beings in mistake for wild creatures and increasing penalties

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 422, entitled:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. STUART. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 526, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 529, entitled:

An Act to further amend a part of section one hundred and three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defects epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by further defining "qualified physician."

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. CHARLES C. SMITH. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 537, entitled:

An Act to further amend section sixteen of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by excluding from the definition "roadside menagerie" any animal exhibition at a county fair

or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act to further amend section one of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 197) entitled "An act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth" by increasing the value for which materials or commodities may be purchased or procured without public advertisement for bids and without entering into written contracts.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCORMACK. Mr. Speaker, I move that this bill be recommitted to the Committee on City and County —First Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 824, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing additional methods of collecting per capita taxes in school districts of the second class requiring the filing of returns and the furnishing of information by employers and by those subject to the tax imposing on employers the duty of collecting the tax at source and by making a husband liable for his wife's tax.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 943, entitled:

An Act relating to the propagation and growth of nut trees and other trees bearing crops excluding our present commercial fruit trees in this Commonwealth providing for the appointment qualifications term and compensation of an Expert Tree Crops Advisor prescribing his powers and duties imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 966, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1037, entitled:

An Act to amend the act approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381), entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party, regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto," by extending the provisions thereof to written collective bargaining contracts for arbitration of controversies and further defining the effect of judgments confirming, modifying or correcting awards.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. COSTA. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1055, entitled:

An Act providing and regulating State assistance including slum clearance and redevelopment and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. COSTA. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1061, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty in certain cases and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for transportation of pupils at the expense of the district and for reimbursement of the district by the Commonwealth for furnishing transportation to pupils.

And said bill having been read at length the second time and agreed to,

Ordered, Te be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167

Senate Bill No. 160, Printer's No. 40 and

Senate Bill No. 218, Printer's No. 148

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain members on retirement

The first section was read.

On the question,

Will the House agree to the section?

Mr. SOLLENBERGER offered the following amendments:

Amend Section 1 (clause (d), subsection 3 of section 14), page 4, line 11, by striking out the word "July" and inserting in lieu thereof the following: "September."

Amend Section 1 (clause (d), subsection 3 of section 14), page 4, line 18, by inserting after the word "years" the following: "or more."

Amend Section 1 (clause (d), subsection 3 of section 14), page 4, line 18, by inserting after the word "or" the following: "if less than forty years of such service then."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis; permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service, or on reduced allowances after twenty-five years of such service; increasing the scale of disability benefits; and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SOLLENBERGER offered the following amendment:

Amend Section 1 (subsection 6 of section 8), page 9, line 4, by striking out the word "Thereafter" and inserting in lieu thereof the following: "after the first day of July, one thousand nine hundred fifty."

It was agreed to.

The second, third, fourth and fifth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreebly to order,

The House proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the Sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreebly to order.

The House proceeded to the second reading and consideration of Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreebly to order,

The House proceeded to the second reading and consideration of Senate Bill No. 529, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled" An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposng certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any institution district funds to the General County Fund

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 561, Printer's No. 156 and

Senate Bill No. 565, Printer's No. 159

were passed over at the request of the SPEAKER.

BILL ON SECOND READING POSTPONED

Agreebly to order,

The bill having been called up from the postponed calendar, by Mr. FROST and

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House resumed the consideration on second reading of House Bill No. 875, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for a uniform maximum rate of speed for all vehicles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreebly to order,

The House proceeded to the consideration on final passage of House Bill No. 566, entitled:

An Act to promote the welfare of the people of the Commonwealth, creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and making an appropriation.

RECONSIDERATION OF VOTE

Mr. BRUNNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. CHARLES C. SMITH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on third reading of this bill?

Mr. BRUNNER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Smith, vote on third reading of this bill?

Mr. CHARLES C. SMITH. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRUNNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 2, line 11, by inserting after the word "Commonwealth" and before the word "shall" the following: "or any of its political subdivisions."

Amend Section 2, page 4, line 4, by striking out at the beginning of the line before the word "construction" the following: "and."

Amend Section 2, page 4, line 4, by inserting after the word "construction" and before the word "and" the following: "and reconstruction."

Amend Section 2, page 4, line 5, by striking out after the word "acquire" and before the word "to" the following: "and."

Amend Section 2, page 4, line 5, by inserting after the word "construct" and before the word "all" the following: "and to reconstruct."

Amend Section 4, page 9, line 12, by inserting after the word "Commonwealth" and before the word "nor" the following: "or any of its political subdivisions."

Amend Section 4, page 9, line 13, by inserting after the word "Commonwealth" and before the word "nor" the following: "or any of its political subdivisions."

Amend Section 4, page 9, line 13, by inserting after the word "Commonwealth" and before the word "be" the following: "nor any of its political subdivisions."

Amend Section 5, page 9, line 19, by striking out at the end of the line after the word "projects" the following: "Under the terms of."

Amend Section 5, page 10, by striking out lines 1 to 9, inclusive.

Amend Section 6, page 12, line 9, by inserting after the word "receipts" and before the word "may" the following: "or temporary bonds."

Amend Section 6, page 12, line 15, by striking out after the word "any" and before the word "political" the following: "county or other."

Amend Section 9, page 20, line 11, by striking out after the word "of" and before the word "county" the following: "the" and inserting in lieu thereof the following: "a."

Amend Section 9, page 20, line 11, by inserting after the word "county" and before the word "having" the following: "of the Commonwealth."

Amend Section 14, page 25, line 6, by striking out at the beginning of the line before the word "the" the following: "the Department of Highways shall take."

Amend Section 14, page 25, line 8, by striking out after the word "taking" and before the word "in" the following: "all" and inserting in lieu thereof the following: "shall be."

Amend Section 17, page 27, line 4, by inserting after the letters "poses" and before the word "the" the following: "the Authority shall not be required to pay any taxes upon any property acquired or used by it for such purposes and."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 782, as follows:

An Act to amend section six hundred ninety-nine point four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by permitting target shooting on Sundays

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred ninety-nine point four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 699.4 Worldly Employment or Business on Sunday Whoever does or performs any worldly employment or business whatsoever on the Lord's day commonly called Sunday (works of necessity and charity only excepted) or uses or practices any game hunting shooting sport or diversion whatsoever on the same day not authorized by law shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of four dollars ($4) for the use of the Commonwealth or in default of the payment thereof shall suffer six (6) days' imprisonment

Nothing herein contained shall be construed to prohibit the dressing of victuals in private families bake-houses lodging-houses inns and other houses of entertainment for the use of sojourners travellers or strangers or to hinder watermen from landing their passengers or ferrymen from carrying over the water travellers or persons removing with their families on the Lord's day commonly called Sunday nor to the delivery of milk or the necessaries of life before nine of the clock in the forenoon nor after five of the clock in the afternoon of the same day nor shall anything herein contained be construed to prohibit shooting at fixed or moving targets on Sundays whether or not of a competitive character except commercialized shooting

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Altahuler,	Gaffney,	Loftus,	Robertson,
Amarando,	Gallagher,	Lovett,	Rose,
Andrews,	George,	Madigan,	Rosen,
Bane,	Gibson,	McCormack,	Rovansek,
Barkdoll,	Glembocki,	McCullough,	Royer,
Baumunk,	Good,	McGee,	Sarraf,
Beaver,	Goodling,	McKinney,	Sax,
Bednarek,	Graybill,	McMillen,	Scanlon,
Blair,	Green,	McNally,	Schmidt,
Bloom,	Greenwood,	Mihm,	Schuster,
Boles,	Greer,	Mikula,	Scott,
Bomberger,	Guarnieri,	Miller,	Seyler,
Boorse,	Guthrie,	Milliken,	Shoemaker,
Bower,	Hagerty,	Mills,	Smith, C. C.,
Brandon,	Hall,	Mintess,	Smith, W. B.,
Breisch,	Hamilton,	Monroe,	Snider,
Breth,	Harney,	Moore, C. E.,	Sollenberger,
Brice,	Harris,	Moore, H. A.,	Spencer,
Brown, H. S.,	Haudenshield,	Moran,	Stank,
Brown, W. E.,	Heatherington,	Munley,	Sternberg,
Brunner,	Helm,	Murray,	Stimmel,
Bucchin,	Hersch,	Musto,	Stuart,
Cadwalader,	Hewitt,	Najaka,	Swope,
Clapper,	Hocker,	Needham,	Tahl,
Clendening,	Hoffman,	Neff,	Taylor,
Cochran,	Hoggard,	Nixon,	Thompson,
Cole,	Hunter,	O'Dare,	Tompkins,
Coleman,	Jenkins,	O'Donnell,	Toomey,

Conway,	Jennings,	Olsen,	Varallo,
Cooper,	Jim,	Orban,	Varner,
Costa,	Johnson,	Penglase,	Verona,
Dalrymple,	Jones, G. E.,	Pentrack,	Wachhaus,
DeLong,	Jones, J. M.,	Peta,	Wagner,
Dennison,	Jump,	Petrosky,	Wargo,
Depuy,	Kamyk,	Pettigrew,	Waterhouse,
Dougherty,	Keller,	Pfaff,	Watkins,
Driscoll,	Kemp,	Polen,	Weidner,
Duffy,	Kent,	Posta,	Weiss,
Elder,	Kirley,	Powers,	Welsh,
Erb,	Kline,	Price, H. W., Jr.,	Wescott,
Evans,	Kohl,	Price, R. A.,	Westrick,
Ewing,	Kolankiewicz,	Propert,	Wheeler,
Felton,	Kondrath,	Readinger,	Williams,
Ferster,	Kratz,	Reagan,	Wood,
Filo,	Kurtz,	Reese,	Yaffe,
Firmstone,	Lederer,	Reidenbach,	Yeakel,
Flack,	Lee,	Reilly, J. M.,	Yester,
Fleming,	Leisey,	Reynolds,	Yetzer,
Floyd,	Leonard,	Riley, R. L.,	Young,
Fox,	Limper,	Robbins,	Sorg,
Frost,			Speaker

NAYS—6

Dye,	Herman,	Worley,	Ziegler,
Frank	Nagel,		

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmaitve.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 280, Printer's No. 324 and

House Bill No. 403, Printer's No. 231

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 458, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding two and one-half (2½) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia and within such county only the city of Philadelphia and the school district of Philadelphia shall have power to incur debt

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Najaka,	Tahl,
Clapper,	Hersch,	Needham,	Taylor,
Clendening,	Hewitt,	Neff,	Thompson,
Cochran,	Hocker,	Nixon,	Tompkins,
Cole,	Hoffman,	O'Dare,	Toomey,
Coleman,	Hoggard,	O'Donnell,	Varallo,

Conway,	Hunter,	Olsen,	Varner,
Cooper,	Jenkins,	Orban,	Verona,
Costa,	Jennings,	Penglase,	Wachhaus,
Dalrymple,	Jim,	Pentrack,	Wagner,
DeLong,	Johnson,	Peta,	Wargo,
Dennison,	Jones, G. E.,	Petrosky,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Pfaff,	Weidner,
Driscoll,	Kamyk,	Polen,	Weiss,
Duffy,	Keller,	Posta,	Welsh,
Dye,	Kemp,	Powers,	Wescott,
Elder,	Kent,	Price, H. W., Jr.,	Westrick,
Erb,	Kirley	Price, R. A.,	Wheeler,
Evans,	Kline,	Propert,	Williams,
Ewing,	Kohl,	Readinger,	Wood,
Felton,	Kolankiewicz,	Reagan,	Worley,
Ferster,	Kondrath,	Reese,	Yaffe,
Filo,	Kratz,	Reidenbach,	Yeakel,
Firmstone,	Kurtz,	Reilly, J. M.,	Yester,
Flack,	Lederer,	Reynolds,	Yetzer,
Fleming,	Lee,	Riley, R. L.,	Young,
Floyd,	Leisey,	Robbins,	Ziegler,
Fox,	Leonard,	Robertson,	Sorg,
Frank,	Limper,		Speaker

NAYS—1

Nagel,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 498, Printer's No. 296,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 502, as follows:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicoogical service to the coroners in the various counties and to the Department of Health in certais outbreaks of sickness

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be established within the Department of Health of the Commonwealth of Pennsylvania a public laboratory for the purpose of rendering assistance to the different coroners throughout the Commonwealth in their investigation of all cases where death is sudden or violent and is of a suspicious nature and character to ascertain whether death was due to other than natural causes and in rendering assistance in all cases where autopsies are necessary and for the purpose of rendering toxicological examinations of foodstuffs for the Department of Health in connection with outbreaks of gastroenteritis due to the ingestion of contaminated food

Section 2 The said laboratory shall contain such equipment as shall be deemed necessary by the Secretary of Health for rendering such pathological and toxicological service to coroners and in the Department of Health itself

Section 3 The personnel of such laboratory shall consist of a chief who shall be legally qualified doctor of medicine duly trained to do pathological work also an assistant who shall be duly trained and capable of doing toxicological work and such other technical assistants stenographers clerks and others as the Department of Health shall deem necessary All of the above personnel shall be selected by the Secretary of Health

Section 4 The salaries of the personnel shall be determined and fixed by the Secretary of Health

Section 5 The sum of seventy-five thousand dollars ($75,000) is hereby specifically appropriated to the Department of Health for the purpose of establishing said laboratory and to defray the cost of operating the said laboratory until May thirty-first one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Taylor,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act to further amend clause three of section thirteen of the act approved the twenty-second day of May one

thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes of such additional monies as may be necessary to carry out the provisions of this act" by cancelling age requirement and changing length of service necessary to receive a pension

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (3) of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 13 Members of the fund shall be eligible to receive pensions from said fund as follows

* * * * *

(3) Any member who has become a member of this fund under the provisions of sub-section (1) of section eight hereof or who has been admitted to membership under the provisions of sub-section (2) or sub-section (3) of section eight hereof more than sixty days after the effective date of this act shall be entitled to receive a pension fund from said fund upon written application of such member stating his desire to withdraw from service in said city or that his employment by the said city has been terminated and showing that such member has attained the age of fifty years and has rendered at least [twenty-five years'] twenty years' service to the said city at least one year of which was immediately prior to his application but need not have been otherwise continuous service Such service shall total [twenty-five years] twenty years and shall include service in the armed forces of the United States in times of war

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRANDON. Mr. Speaker, I wonder if the gentleman from Allegheny, Mr. Fleming, would consent to be interrogated?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated? The Chair understands that the gentleman is not in the Hall of the House.

Mr. BRANDON. Mr. Speaker, then I desire to be recognized and debate the merits of the bill.

The SPEAKER. The gentleman is recognized for that purpose.

Mr. BRANDON. Mr. Speaker, the administration of the City of Pittsburgh requests that you vote against this bill. No doubt all of us would like to have as liberal a pension bill as we possibly could have for the police officers in our state and our local municipalities, if the money were available to pay for it. Then, I think it would be only right and just to vote for such a bill. But the purpose of this bill and what this bill does, it reduces the number of years that the fireman has to work in order to be eligible for a pension, from twenty-five years down to twenty years; it reduces the age at which he is eligible for pension from fifty-five years of age to fifty years of age. The last number of employees in the city of Pittsburgh police department who went on pension has an average length of service of only a trifle over twenty-six years. In other words, the average was only a little over a year longer than the time they were eligible to go on pension. So, if this bill passes, everyone of the members of the city of Pittsburgh police department will be eligible for pension that much earlier. The city will be obligated to pay those pensions for a period of five years longer. If they choose to take their pension there will be a five year longer period in which those men will not pay dues into the pension fund. The total number of employees under the Police Pension Fund at the present time, I believe, is eleven hundred and forty-four men. Even if you assume that the basic pay under the smallest pension will be taken by each man, which is one hundred dollars a month, then for each one of those eleven hundred and forty-four men you would need a total possibly of nearly six thousand dollars and would deprive the city of Pittsburgh of a period of five years from the payment of contributions.

The budget of the city of Pittsburgh is balanced at the present time, but it is just balanced, and there is no surplus to kick around. Last year the city of Pittsburgh gave a raise to every city employe it possibly could. The raises were not munificient, they were not enough to take care of the increase in the cost of living. Actually, if you vote for this bill you are depriving the city employes of Pittsburgh of possible future raises. You are depriving the city of Pittsburgh of the opporunity of using this money for other things which the city would like to spend. There is no money available to pay for this bill. The sum of money involved here, I cannot tell you, but it is a sum that could be very harmful to the city of Pittsburgh. If you believe in home rule for the city of Pittsburgh, don't just believe in it from the sense of the right to levy taxes, but also to give the elected officials the right to dispense the money as they see fit. They are responsible to the taxpayers and not you gentlemen. Therefore, I request if at all possible that you vote against this bill.

Mr. SCHUSTER. Mr. Speaker, I yield to the gentleman from Erie, Mr. Dalrymple.

Mr. DALRYMPLE. Mr. Speaker, I heard the gentleman speak in regard to firemen a while ago and about the officials of the city of Pittsburgh. This is nothing but a pension bill to which the men of that department are entitled. They find enough taxes to levy on the people of the city of Pittsburgh, also in my own city, for necessary purposes, and if it is necessary that they should raise taxes for this purpose, I think they should do so. The men working in this department in city government are

entitled to a pension and they should have one, and I do not think the city of Pittsburgh is in such financial straits that they cannot afford to pay for this.

We had a similar bill some few days ago before this House, as I recall, affecting the third class city police departments, including the police department in my city, which is a third class city, the largest third class city in the state. It is well financed and is well prepared to take care of any fund for the members of that department who ought to retire. I think that any city government official who wants to do a job for this necessary arm of the city government, he should do something towards the passage of this bill. I do not think it is unfair; I do not think it is going to be burdensome from the standpoint of taxation. I think it is a well worth while move to protect the men who have served faithfully in that department for this period of years, therefor I object to the gentleman's request to vote against the bill, and I ask the Members of the House to vote for it.

Mr. ANDREWS. Mr. Speaker, I appreciate the consuming interest that the gentleman from Erie has in the affairs of the city of Pittsburgh. I do not imagine that he is running for mayor of the city of Pittsburgh—probably Erie. He would probably be able to speak with more authority concerning the affairs of third class cities. He represents one in part; I represent one in part.

I would have objected very strenously if the leadership of Allegheny County had attempted to formulate a retirement policy for and on behalf of third class cities. I think that Pittsburgh is more competent to judge of its financial conditions, what it can spend and what it cannot spend, than any representative of a third class city, who confesses that he knows little or nothing about the finances of the city concerning which he would legislate.

I have profound respect for his Honor, the mayor of Pittsburgh. I think he has been as much inclined to overspend as underspend. I think the administration of Pittsburgh has been as liberal an administration so far as city employes are concerned; has been as liberal as far as legislation that protects the welfare of the people, so far as it affects those who work for a living and in so far as it is humanly possible for those who must pay taxes. So when the persons who are responsible for the administration of the affairs of Pittsburgh say that this bill imposes upon them a financial burden which they are not prepared to share, I say they are better able to judge and I say their word should mean more than the casual observation of someone from a third class city who would presume to dictate the course which a second class city must needs follow. Therefore, Mr. Speaker, I am voting against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—147

Amarando,	Frost,	Limper,	Rovansek,
Bane,	Gaffney,	Loftus,	Royer,
Bednarek,	Gallagher,	Lovett,	Sarraf,
Blair,	George,	Madigan,	Sax,
Bloom,	Gibson,	McCormack,	Scanlon,
Boles,	Glembocki,	McCullough,	Schuster,
Bomberger,	Goodling,	McGee,	Scott,
Boorse,	Green,	Mikula,	Seyler,
Brice,	Greenwood,	Miller,	Smith, W. B.,
Brown, W. E.,	Greer,	Milliken,	Snider,
Bucchin,	Guarnieri,	Mintess,	Spencer,
Clapper,	Guthrie,	Monroe,	Stank,
Clendening,	Hagerty,	Moore, H. A.,	Sternberg,
Cochran,	Harney,	Moran,	Stimmel,
Cole,	Haudenshield,	Munley,	Stuart,
Conway,	Hewitt,	Murray,	Swope,
Cooper,	Hoffman,	Musto,	Tahl,
Dalrymple,	Hoggard,	Najaka,	Taylor,
DeLong,	Jim,	Needham,	Thompson,
Dennison,	Johnson,	Neff,	Tompkins,
Depuy,	Jones, G. E.,	Nixon,	Varallo,
Dougherty,	Jones, J. M.,	O'Donnell,	Varner,
Driscoll,	Jump,	Olsen,	Verona,
Duffy,	Keller,	Orban,	Wachhaus,
Dye,	Kemp,	Penglase,	Wargo,
Elder,	Kent,	Peta,	Waterhouse,
Erb,	Kirley,	Petrosky,	Weiss,
Evans,	Kline,	Pettigrew,	Welsh,
Ewing,	Kohl,	Pfaff,	Wheeler,
Felton,	Kolankiewicz,	Posta,	Williams,
Ferster,	Kondrath,	Price, H. W., Jr.,	Worley,
Firmstone,	Kratz,	Price, R. A.,	Yaffe,
Flack,	Kurtz,	Propert,	Yeakel,
Fleming,	Lederer,	Reese,	Yetzer,
Floyd,	Lee,	Reidenbach,	Ziegler,
Fox,	Leisey,	Robbins,	Sorg,
Frank,	Leonard,	Robertson,	Speaker

NAYS—40

Andrews,	Hamilton,	Moore, C. E.,	Rosen,
Barkdoll,	Harris,	Nagel,	Schmidt,
Baumunk,	Heatherington,	Pentrack,	Shoemaker,
Beaver,	Herman,	Powers,	Sollenberger,
Bower,	Hocker,	Readinger,	Toomey,
Brandon,	Jenkins,	Reagan,	Wagner,
Breisch,	Kamyk,	Reilly, J. M.,	Westrick,
Breth,	McKinney,	Reynolds,	Wood,
Filo,	McNally,	Riley, R. L.,	Yester,
Hall,	Mihm,	Rose,	Young,

NOT VOTING—21

Altshuler,	Costa,	Hunter,	O'Dare,
Brown, H. S.,	Good,	Jennings,	Polen,
Brunner,	Graybill,	Krise,	Smith, C. C.,
Cadwalader,	Helm,	McMillen,	Watkins,
Coleman,	Hersch,	Mills,	Weidner,
			Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 518, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897)

entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended by adding after section three hundred nine point one thereof a new section to read as follows

Section 309.2 Limitations Upon Enforcement of Payment of Contributions Interest and Penalties

Notwithstanding any other provisions of this act to the contrary contributions interest and penalties shall not be deemed to be due and payable under the provisions of this act more than four years after the end of the calendar year in which the wages were paid with respect to which liability for the payment of such contributions interest or penalties as the case may be was based and no action for the collection thereof shall be instituted after the expiration of such four-year period unless prior to the expiration of such four-year period and with respect thereto (1) an assessment proceeding shall have been instituted pursuant to the provisions of section three hundred four of this act or (2) an action shall have been instituted pursuant to the provisions of section three hundred nine of this act or (3) a lien shall have been entered pursuant to the provisions of section three hundred eight point one of this act provided that the provisions of this section shall not apply where an employer by willful failure or refusal to file a report with the department or to include in any report all wages which he has paid or otherwise has attempted to avoid or reduce liability for the payment of contributions

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652 as follows:

An Act to further amend section eleven of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by further regulating the use of dues and monies paid into the fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as amended by the act approved the twenty-fifth day of

June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 11 When any member of the fund shall resign or be dismissed from service or shall die while in active service there shall be paid to him or to his widow and if no widow survive to his executor or administrator if his service has been terminated by death from the fund all dues paid by him into the fund without interest and all monies which the fund may have received under any assignment made by the said member to the fund at the time of his admission to membership under the provisions of sub-section (3) of section 8 hereof

All dues paid into the fund by members now in active service prior to the twenty-fifth day of June one thousand nine hundred forty-seven and all monies which the fund received prior to said date under any assignment made by any member now in active service to the fund at the time of his admission to membership shall be retained in the fund as a reserve to be used only for the purpose of making the payments from the fund which are provided for by this section Provided That whenever any member now in active service shall go on pension from the fund all such dues paid into the fund by him and then held in the fund as such reserve and all such monies received by the fund under assignment made by him and then so held shall be released from said reserve and become available for use for the payment of pensions

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRANDON. Mr. Speaker, I won't expatiate at length on this bill. I am quite sure that the Members of the Police Department of the city of Pittsburgh are very thankful for the last bill which was passed, although I am not sure that the taxpayers of the city of Pittsburgh are similarly thankful.

This particular bill, House Bill 652, cannot, as I see it, do the members of the Police Department of the city of Pittsburgh any good. The only thing that I can see that the bill does is to remove the sum of seven hundred and ninety thousand dollars from the control of the city council of Pittsburgh.

Again, I say that if you are interested in home rule and believe that the locally elected officials should have control of the moneys of the city of Pittsburgh, you should vote against this bill.

This particular bill, I might say, provides that a sum of some seven hundred ninety thousand dollars that was contributed by members of the police pension fund prior to 1947 shall be frozen and the interest on that fund shall continue to be paid into that fund, and that fund will remain there for one purpose, as I see it. The only thing is that taxpayers of the City of Pittsburgh instead of being allowed to use that sum of money for the payment of pensions, must actually tax the people of Pittsburgh to pay those pensions.

I should like to read an excerpt from a case reported in 336 Pa., page 540, known as the case of Kane vs. the City of Pittsburgh, decided in the year 1939. I won't bore you with reading the case at length but I would like to cite the following:

> "The vested right of an employee to a pension fund cannot be disturbed by legislation, and that vested right of an employee is a vested right against the city of Pittsburgh."

The city of Pittsburgh and the taxpayers of the city of Pittsburgh must pay those pensions, regardless of any fund they created.

Mr. Speaker, the whole thing in this bill is to prevent the city council of the city of Pittsburgh from having any jurisdiction over that fund. It is very easy to say, "Well, that money is contributed by those policemen," but the actual fact is that the old police pension fund was bankrupted, it was heading for bankruptcy, it was not self sustaining. Those charges were put upon the taxpayers of the city of Pittsburgh. If the taxpayers are going to take over all the liabilities of the pension fund they certainly should have the right to take over all the assets. You have already voted for a continuation of the liability for the city of Pittsburgh of nearly six million dollars. That was the effect of the previous bill. This is a three quarter million dollar bill. It cannot do the police officers any good. All it can possibly do is to deprive the city of Pittsburgh of the control of its financial affairs in this respect, and I ask you, therefore, gentlemen of the House, to respect the principle of home rule and vote against this bill.

Mr. STUART. Mr. Speaker, this money that Mr. Brandon speaks of belongs to the policemen; it is their own money. When the Committee on Second Class County and Cities held a hearing on this bill for the city of Pittsburgh, full opportunity was given to them to discuss the matter at length. I plead in the interest of the police in the city of Pittsburgh, and for that reason I ask the Members of the House to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—147

Amarando,	Fleming,	Lederer,	Scanlon,
Bane,	Floyd,	Lee,	Schuster,
Barkdoll,	Fox,	Leisey,	Scott,
Bednarek,	Frank,	Leonard,	Shoemaker,
Blair,	Gaffney,	Limper,	Smith, W. B.,
Bloom,	Gallagher,	Loftus,	Snider,
Boles,	George,	Lovett,	Sollenberger,
Bomberger,	Gibson,	Madigan,	Spencer,
Boorse,	Glembocki,	McCormack,	Stank,
Breisch,	Goodling,	McCullough,	Sternberg,
Brice,	Graybill,	McKinney,	Stimmel,
Brown, W. E.,	Greenwood,	Mikula,	Stuart,
Brunner,	Greer,	Miller,	Swope,
Bucchin,	Guarnieri,	Milliken,	Tahl,
Clapper,	Guthrie,	Mintess,	Taylor,
Clendening,	Harney,	Monroe,	Thompson,
Cochran,	Harris,	Moore, H. A.,	Tompkins,
Cole,	Haudenshield,	Munley,	Varallo,
Conway,	Hewitt,	Musto,	Verona,
Cooper,	Hocker,	Najaka,	Wachhaus,
Costa,	Hoffman,	Needham,	Wargo,
Dalrymple,	Hoggard,	Neff,	Waterhouse,
DeLong,	Jennings,	Nixon,	Watkins,
Dennison,	Jim,	O'Donnell,	Weidner,
Depuy,	Johnson,	Olsen,	Welsh,
Dougherty,	Jones, G. E.,	Orban,	Wheeler,
Driscoll,	Jones, J. M.,	Pettigrew,	Williams,
Duffy,	Jump,	Price, R. A.,	Wood,
Dye,	Keller,	Propert,	Worley,
Elder,	Kemp,	Reidenbach,	Yaffe,
Erb,	Kent,	Reilly, J. M.,	Yeakel,
Evans,	Kline,	Robbins,	Yester,
Ewing,	Kohl,	Robertson,	Yetzer,
Felton,	Kolankiewicz,	Rovansek,	Young,
Ferster,	Kondrath,	Royer,	Ziegler,
Firmstone,	Kratz,	Sarraf,	Sorg,
Flack,	Kurtz,	Sax,	Speaker

NAYS—34

Andrews,	Hunter,	Nagel,	Reese,
Bower,	Jenkins,	Penglase,	Reynolds,
Brandon,	Kamyk,	Pentrack,	Riley, R. L.,
Breth,	Kirley,	Petrosky,	Rosen,
Fillo,	McNally,	Posta,	Schmidt,
Hagerty,	Mihm,	Powers,	Seyler,
Hall,	Mills,	Price, H. W., Jr.,	Wagner,
Heatherington,	Moore, C. E.,	Readinger,	Weiss,
Herman,	Moran,		

NOT VOTING—27

Altshuler,	Good,	McMillen,	Rose,
Baumunk,	Green,	Murray,	Smith, C. C.,
Beaver,	Hamilton,	O'Dare,	Toomey,
Brown, H. S.,	Helm,	Peta,	Varner,
Cadwalader,	Hersch,	Pfaff,	Wescott,
Coleman,	Krise,	Polen,	Westrick,
Frost,	McGee,	Reagan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 675, as follows:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey within and outside of said Basin empowering such Commission to enter upon lands structures and waters fixing the responsibility for damages resulting therefrom and making an appropriation to such Commission

Whereas political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey are constantly confronted with the problem of obtaining and providing an adequate and satisfactory supply of water both for domestic and industrial purposes to meet existing and prospective requirements of the people within their borders and

Whereas the waters of the Delaware River Basin are the property of the people of the Commonwealth of Pennsylvania and the States of New York and New Jersey and a logical and attractive future source of water for certain political subdivisions and metropolitan areas in each of such states and

Whereas the United States Supreme Court in its decision in the Delaware River Case (U S 283 U S 336) confirmed the principle that the use of the waters of the Upper Delaware River Basin for water supply has precedence over all other purposes and

Whereas agencies other than the said States and their political subdivisions have recently advanced or sought to secure approval of projects involving the construction of dams and reservoirs for the development of the waters of the Upper Delaware River Basin for purposes other than water supply which if effectuated might interfere with and seriously jeopardize the rights and interests of said States and their political subdivisions and metropolitan areas in the matter of obtaining and providing adequate and suitable sources of water supply and

Whereas the Commonwealth of Pennsylvania and the States of New York and New Jersey has each created and now maintains a commission (or committee) on interstate cooperation for the purpose of promoting cooperation among said States respectively and among other states of the union in various fields of governmental operations including the utilization control and conservation of the water resources of interstate river systems and

Whereas said commissions (or committee) on interstate cooperation of the Commonwealth of Pennsylvania and the States of New York and New Jersey (and also the State of Delaware) have organized and established and are now maintaining an instrument of governmental machinery known as "The Interstate Commission on the Delaware River Basin" for the purpose among other things of formulating integrated policies and programs for the mutual and beneficial protection of the water resources of the Delaware River Basin for water supply and incidental purposes therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Authorization for Surveys and Investigations The Interstate Commission on the Delaware River Basin is hereby designated as the agency and instrumentality of the Commonwealth of Pennsylvania to cooperate with the State of New York and the State of New Jersey and in this capacity is hereby authorized and directed to make or conduct or cause to be made or conducted such surveys and investigations as may be necessary for the Commission to determine and report on the feasibility and advisability of the future construction of an integrated water project within the Delaware River Basin above Trenton New Jersey Morrisville Pennsylvania comprised of a dam and reservoir or a series of dams and reservoirs on both the tributaries and the main channel of the Delaware River designed among other purposes to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth and such States both within and outside of such Basin The cost of such surveys and investigations shall not exceed in the aggregate the sum of two hundred thousand dollars ($200,000) of which one-third shall be borne by the Commonwealth of Pennsylvania and not more than one-half of such aggregate sum shall be expended by the Commission in any one year The work involved in the conduct of such surveys and investigations may be done and performed by the staff and personnel of such Commission or by persons firms or corporations retained or employed by the Commission for such purpose No contract for such surveys and investigations shall be awarded by the Commission unless and until the proposals plans and specifications for such surveys and investigations shall be submitted to and approved in writing by the Secretary of the Department of Forests and Waters of the Commonwealth of Pennsylvania No such contract shall be valid unless executed by the Chairman of the Commission and by a Vice-Chairman of such Commission representing each of the two States other than the State represented by the Chairman

Section 2 Indemnity by Engineers and Contractors The Commission shall require any person firm or corporation engaged by it in a consulting or contracting capacity to conduct any such survey investigation or other service to enter into a written agreement therefor with the Commission which shall among other things provide that such person firm or corporation will (a) assume bear and pay all damages of any kind arising out of any work performed for the Commission under the provisions of this act and will assume the defense of and save harmless the Commission and each officer member and employe thereof and the Commonwealth of Pennsylvania and the States of New York and New Jersey from and against all claims for damages of any kind arising out of any work performed by the Commission under the provisions of this act and (b) procure and furnish to the Commission a surety bond in a solvent company approved by the Commission in such amount fixed by the Commission as may be deemed sufficient to ensure the faithful performance of such contract and all of the terms conditions obligations and covenants thereof

Section 3 Right of Entry Members and officers of the Interstate Commission on the Delaware River Basin and its duly accredited agents engineers contractors or employes may enter upon any lands structures and waters within the Commonwealth for the purpose of surveying existing or proposed reservoir dam or conduit locations studying sub-surface conditions affecting the selection of

dam or reservoir sites or whenever it is deemed necessary for any of the purposes of the surveys or investigations authorized by this act The Commonwealth of Pennsylvania shall not be liable for any damage resulting from any such entry outside the borders of such Commonwealth

Section 4 Report On or before January fifteenth nineteen hundred and fifty-one the Interstate Commission on the Delaware River Basin shall make and file with the Governors and the legislatures of the Commonwealth of Pennsylvania and of the States of New York and New Jersey a full report of its proceedings under this act together with its findings conclusions and recommendations resulting from the surveys and investigations made pursuant to this act and such draft or drafts of legislation as it may deem necessary or proper for enactment by such States or either of them to effectuate such recommendations or the purposes or provisions of this act

Section 5 Appropriation The sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary is hereby appropriated to the Interstate Commission on the Delaware River Basin for the purposes of this act Such moneys shall be payable from the State Treasury on the audit and warrant of the Auditor General on vouchers certified or approved by the Chairman of such Commission and by a Vice-Chairman of such Commission representing each of the two States other than the State represented by the Chairman

Section 6 Effective Date On final enactment of this act by the Governor the Secretary of the Commonwealth shall certify copies thereof to the Secretaries of State of the States of New York and New Jersey with a request that similar acts enacted by those States be certified to him On receipt of certified copies of such acts he shall determine whether in his judgment said acts contain substantially the same provisions as those herein contained Should he so find with regard to enactments by both the State of New York and the State of New Jersey he shall so certify to the Governor and the Secretaries of State of the other two States The powers hereby conferred upon the Interstate Commission on the Delaware River Basin shall not be exercised until such certification has been made

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins,
Driscoll,	Jump,	Pettigrew,	Weidner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Posta,	Wescott,
Erb,	Kent,	Powers,	Westrick,
Evans,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—1

Depuy,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in thet affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692 as follows:

An Act to amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" by exempting therefrom appropriations made to land grant colleges of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the ninth day of June one thousand nine hundred eleven (P L 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" is hereby amended by adding at the end thereof a new section to read as follows

Section 10 The provisions of the act shall not apply to appropriations made to land grant colleges of Pennsylvania as defined by the Act of Congress approved the second day of July one thousand eight hundred sixty-two (112 Statute 503) granting public land to the several states for educational purposes and subsequent Act of Congress related thereto in order further to carry into effect the Act of the Legislature of Pennsylvania approved the first day of April one thousand eight hundred sixty-three (P. L. 213) and subsequent Acts of the Legislature of Pennsylvania accepting the provisions and conditions of said Acts of Congress and pledging the faith of the state to carry the same into effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Tahl,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The maority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provisions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EVANS. Mr. Speaker, I desire to interrogate the sponsor of the bill, Mr. Kemp, or anyone else wo may be in charge of the bill.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Herman. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. Herman. I shall, Mr. Speaker.

Mr. EVANS. Mr. Speaker, I understood at a meeting of the Labor Relations Committee that this bill was a department bill. If that is the case, what reason does the department have for decreasing the age limit with respect to females in certain industries in Pennsylvania from 21 to 18 years?

Mr. HERMAN. Mr. Speaker, as I understand this amendment, it does not decrease the age of the females. In 1947 the Act was amended so that the section at that time required women to be over twenty-one to work from six in the morning until nine in the evening, and it was amended to read from eighteen to twenty-one. The penalty provisions were not changed. That is the reason the change was made today from twenty-one to eighteen.

Mr. EVANS. Mr. Speaker, is this a correctional change?

Mr. HERMAN. It is a correctional change, Mr. Speaker, as I understand it.

Mr. EVANS. I thank the gentleman, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, can this bill be held over until we can ascertain whether this is or is not a correctional change.

BILL PASSED OVER

The SPEAKER. If there are no objections, this bill will be passed over. The Chair withdraws its decision as to the bill having passed the House on third reading, if there are no objection, and the bill will be passed over The Chair hears none and the bill is passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 877, entitled:

An Act to amend sections five, ten and twenty-two of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating, and in certain cases prohibiting, industrial homework; imposing duties, restrictions, and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by providing for exemptions in certain cases.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COLE. Mr. Speaker, this bill looks like a good bill on the surface, as it gives to handicapped workers the right to have employment in his or her home. But the principle behind this bill is entirely wrong. There was a time when in this State work was placed in the home and it led to the institution of the sweat shop in industry. At that time you could find a sewing machine or an ironer in almost every home in certain sections of the State.

And as a result of this practice there was a breakdown of the wage structure. And a letdown in the safety provisions of the law, because it was impossible to police this home work. Now there is no one, at least myself, who wants to deny to physically handicapped workers the right of employment, but in our modern method of production there are plenty of places where these people can be employed and receive wages that are in line with wages paid in similar industries in the State.

If this bill is passed what is there to prevent other workers in the same family, or neighbors for that matter, from doing this work at a lower rate of wage than that paid in places where they have a union contract for this same work? For under this bill there could not be proper supervision of the industry. And it also exempts the employer working under this arrangement from the necessity of determining whether or not the particular work done is injurious to the health and safety of the worker.

We had plenty of trouble getting rid of the sweat shop conditions in the State, and I am fearful if this bill passes it would throw the door wide open for the return of the sweat shop. As I understand it there is now regulations covering certain types of home work which I understand is fair. So I see no reason for broadening the scope, especially when there will be no adequate policing powers and there is always the possibility of the return of the sweat shop and the breaking down of union contracts. In an industry that has had favorable relations between employees and employer for at least ten years if this bill passes it could be the means of the breakdown of amicable relations between these employees and employers and a gradual breakdown of the wage structure within these industries. Therefore I am asking the Members of this House to vote against this bill.

Mr. ANDREWS. Mr. Speaker, this bill is essentially defective because it does not carry a unit of production payment. If an arrangement like this were to be sanctioned, then the bill should carry a provision that those that do home work should be paid the same unit production cost that is paid by an establishment that employs union labor. There is no sound reason, in fact there are abundant reasons why it is uneconomical to sanction any arrangement that will make it possible for a few handicapped persons to place themselves in a position where they will work at a price lower than the going wage paid in an established industry, and until there is a guaranty as to the wage that the home worker receives, this bill should not pass.

Mr. HERMAN. Mr. Speaker, this is an amendment sponsored by the Department of Labor and Industry on industrial home work. It does not relax the regulations in the slightest particular. As the law is now, any industry which parcels out home work must pay a fee of two hundred dollars for so doing. All this bill proposes to do is to remove the requirement for paying the two hundred dollar fee when the people employed are handicapped or disabled persons and cannot go to the industry. This is a method to rehabilitate the World War veterans as much as anything else and I ask the Members of this House to vote for this bill.

Mr. ANDREWS. Mr. Speaker, might I ask the gentleman when why it would be inexpedient to write into the bill a provision that the home worker should be paid on a comparable basis to those who work in a factory.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. HERMAN. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. HERMAN. I don't know that that is not the law right now. This act makes no change in the substance of the bill in that respect. I will be glad to hold the bill over for another day.

Mr. ANDREWS. Mr. Speaker, my only objection to this bill is I don't know, if this bill passes, that the home worker will receive the same pay per unit that the factory worker receives. If that were the case I would have no objection to the bill.

Mr. HERMAN. Mr. Speaker, I understand that the Department of Labor and Industry says that the home worker does receive the same rate, but I will be glad to hold the bill over.

The SPEAKER. Does the gentleman desire to have the bill passed over?

Mr. HERMAN. Yes, Mr. Speaker.

BILL PASSED OVER

The SPEAKER. The Chair withdraws its decision as to the House having agreed to the bill on third reading. If there are no objections this bill will be passed over. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1051, as follows:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses defining the powers and duties of the Department of Agriculture and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions

(a) The word "animal" as used in this act shall mean all equine animals including horses asses and mules

(b) The word "Department" shall mean the Department of Agriculture of this Commonwealth

(c) The word "person" shall include individuals partnerships corporations and associations

(d) The word "product" shall mean any part of the animal including the meat meat byproducts meat food product or any usable part derived from the slaughter of such animal except the hoofs and hair

(e) The word "establishment" as used in this act shall include (1) any building or structure in which equine animals are slaughtered or butchered and shall include coolers and all facilities used for processing the products when such operations are carried out on the same or adjoining premises and (2) the ground upon which such building or structure is erected and so much ground adjacent thereto as is used in carrying on the business of such establishment including drains gutters and cesspools used in connection with the establishment

Section 2 This act shall apply to the slaughtering of

equine animals and no other animals may be slaughtered in an equine slaughtering establishment

Section 3 Every establishment including all equipment therein or thereon shall be kept in a clean and sanitary condition

Section 4 (a) It shall be the duty of every person operating an establishment as defined in section one (e) of this act in this Commonwealth to apply to the Department for a license to do so before the first day of September one thousand nine hundred forty-nine and annually thereafter before the first day of September of each succeeding year or if a new establishment such license shall be secured and posted before the establishment may be operated and to pay to the Department at the time of said application for registration and license is filed a fee of twenty-five dollars ($25) for each establishment operated All licenses so issued shall expire the thirty-first day of August following the date of issue No equine slaughtering establishment shall be licensed when a part of the building is used as a dead animal collecting station or rendering plant

(b) The application for license shall be made on a form to be supplied by the Department and shall show the location of each establishment and the actual name and address of the owner or owners and the name and address of the lessor or lessee The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

(c) Upon approval of the application for license and payment of license fee and upon approval of the establishment and of sanitary conditions in the establishment and every place used in connection therewith the Department shall issue to each applicant a license which shall remain in effect as aforesaid unless revoked or suspended for cause by the Department

(d) Such license shall be posted in a conspicuous place in or at the place of business of such licensee and available for inspection by any person or persons who may be propertly authorized to make such examinations

(e) From and after the first day of September one thousand nine hundred forty-nine it shall be unlawful for any person to operate an establishment unless said establishment is duly licensed in accordance with the provisions of this act

Section 5 If an agent of the Department finds that said establishment upon application for an original license does not comply with the requirements of this act or with any rules and regulations of the department he shall notify the applicant wherein the same fails to comply

Section 6 Each establishment shall to the satisfaction of the Department be provided with ample working rooms including a killing room chill room and cooler space the floors and walls of which shall be cement or other material that can readily be washed with adequate drainage and so constructed that the establishment can be maintained in a sanitary condition free from flies vermin and rodents

Section 7 Such establishment shall have a safe water supply for drinking purposes for employes also an adequate supply of hot and cold water Adequate toilet facilities and dressing compartments shall be provided in a separate room Toilets provided shall be conveniently located fitted with proper lavatory accommodations (flush type toilets) well lighted and ventilated An adequate supply of drinking water shall be maintained for animals

Section 8 The Department shall inspect each establishment as often as it deems necessary to ascertain that the establishment is conducted in conformity with this act and any rules and regulations made by the Department pertaining to this act

Section 9 It is unlawful to hinder impede or prevent any duly authorized agent or employe of the Department from entering any establishment in the performance of his duty or from making any examination duly ordered in enforcing this act

Section 10 (a) If upon examination it is found that any establishment or any part thereof or any equipment or the outside premises of any such plant has become unclean or insanitary the agent of the Department making such examination shall notify the owner lessee or manager in writing and at the same time report the unlawful condition to the Department

(b) Upon receipt of such report the Department shall notify the proper owner lessee agent or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice.

(c) If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the Department may order the license suspended or revoked and the establishment closed

Section 11 The following requirement shall be observed in all equine slaughtering establishments

(a) No animals that were in a dying condition when destroyed nor animals that have died as the result of accident or of natural causes or disease shall be accepted into any establishment for any purpose whatsoever No carcasses parts of carcasses or products of dead animals may be accepted from any person by the operator of a licensed establishment or by any of his employes

(b) No food of any type or kind intended for human consumption or that which may be used for human consumption shall be stored in coolers holding rooms or any part of the establishment

(c) It shall be unlawful and a violation of this act for any person to sell offer for sale expose for sale intimate or recommend for sale for human consumption any carcass parts of carcasses or products composed in whole or part of equine animals

(d) Should an agent of this Department in making an examination of any establishment find an animal or animals in the holding pens suffering with disease or weak or down or in such physical condition that it should be slaughtered such agents are empowered by this act to order such animal or animals slaughtered and pass upon the carcass or carcasses and products according to conditions found on post mortem examination and may order destruction when conditions warrant

(e) It shall be a violation of this act for the owner of an establishment or his agent or foreman if the owner is absent to refuse to conduct such slaughter upon request of an agent of the Department

(f) It shall be unlawful to sell for animal feeding purposes the carcass or parts of carcasses or products of an animal found to be in such an unfit condition at the time of slaughter that the meat or parts might be injurious to the health of other animals to which such meat or products may be fed In case of doubt the owner of an establishment shall call a duly licensed veterinarian to examine such animal to pass upon the fitness of the carcass and organs for animal feeding purposes

(g) All dressed carcasses shall be marked on each quarter with a stamp and green ink plainly showing the name and address of the establishment All carcasses or parts of carcasses or the containers in which any equine animal meat or products are shipped or delivered shall be plainly labeled "Horse Meat Mule Meat etc for Animal Feeding Purposes" as the case may be and shall plainly show the name and address of the establishment and shall be registered and labeled in accordance with laws governing the manufacture or sale of commercial feeding stuffs

(h) For a period of two (2) years a duplicate copy or the original invoice of all animals purchased shall be kept on file at the establishment likewise a duplicate copy of all invoices covering sales of carcasses parts of carcasses and products shall be retained for a period of two (2) years Such records shall be subject to inspection upon demand by any duly authorized employe of the Department Failure or refusal to produce such records shall be a violation of this act

Section 12 To protect the public health and to protect the health and prevent the spread of disease among domestic wild or fur-bearing animals held in captivity the Department may adopt and promulgate such rules and regulations as it may deem necessary in carrying out the provisions of this act.

Section 13 Any person firm or corporation who shall violate any of the provisions of this act or any rule regu-

lation or order made pursuant to this act shall upon conviction thereof in the first or second offense in a summary proceeding before an alderman magistrate or justice of the peace of competent jurisdiction be sentenced for each offense to pay a fine not exceeding one hundred dollars ($100) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for a period not exceeding three (3) months and for a third or subsequent offense be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

All fines imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Sction 14 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Limper,	Robertson,
Amarando,	Gaffney,	Loftus,	Rose,
Andrews,	Gallagher,	Lovett,	Rosen,
Bane,	George,	Madigan,	Rovansek,
Barkdoll,	Gibson,	McCormack,	Royer,
Baumunk,	Glembocki,	McCullough,	Sarraf,
Beaver,	Good,	McGee,	Sax,
Bednarek,	Goodling,	McKinney,	Scanlon,
Blair,	Graybill,	McMillen,	Schmidt,
Bloom,	Green,	McNally,	Schuster,
Boles,	Greenwood,	Mihm,	Scott,
Bomberger,	Greer,	Mikula,	Seyler,
Boorse,	Guarnieri,	Miller,	Shoemaker,
Bower,	Guthrie,	Milliken,	Smith, C. C.,
Brandon,	Hagerty,	Mills,	Smith, W. B.,
Breisch,	Hall,	Mintess,	Snider,
Breth,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Nagel,	Tahl,
Clendening,	Hewitt,	Najaka,	Taylor,
Cochran,	Hocker,	Needham,	Thompson,
Cole,	Hoffman,	Neff,	Tompkins,
Coleman,	Hoggard,	Nixon,	Toomey,
Conway,	Hunter,	O'Dare,	Varallo,
Cooper,	Jenkins,	O'Donnell,	Varner,
Costa,	Jennings,	Olsen,	Verona,
Dalrymple,	Jim,	Orban,	Wachhaus,
DeLong,	Johnson,	Penglase,	Wagner,
Dennison,	Jones, G. E.,	Pentrack,	Wargo,
Depuy,	Jones, J. M.,	Peta,	Waterhouse,
Dougherty,	Jump,	Petrosky,	Watkins,
Driscoll,	Kamyk,	Pettigrew,	Weidner,
Duffy,	Keller,	Pfaff,	Weiss,
Dye,	Kemp,	Polen,	Welsh,
Elder,	Kent,	Posta,	Wescott,
Erb,	Kirley,	Powers,	Westrick,
Evans,	Kline,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kohl,	Price, R. A.,	Williams,
Felton,	Kolankiewicz,	Propert,	Wood,
Ferster,	Kondrath,	Readinger,	Worley,
Filo,	Kratz,	Reagan,	Yaffe,
Firmstone,	Kurtz,	Reese,	Yeakel,
Flack,	Lederer,	Reidenbach,	Yester,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,		Robbins,	Sorg, Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1186, as follows:

An Act to further amend section four and add section fourteen to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by effecting a change in the years of employment on which pensions are based and by providing a method of paying service increments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the second day of April one thousand nine hundred forty-seven (P. L. 52) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the [last] highest salaried five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatseoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a

recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any employe whose monthly payments unto the pension fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employe upon the date of retirement from service shall have made payments of more than four dollars a month unto the pension fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employe

The pension to be paid to any former employe who was dismissed voluntarily retired or in any manner was deprived of his position and employment after having twenty years of service as an employe of said city and who has continued making payments to the fund equal to the last amount due and paid monthly while in active service and who has not accepted any pension under the provisions of the act to which this is an amendment shall be at the pension rate as provided in section five and his payments to the board of pensions after the first day of September one thousand nine hundred forty-five shall be in an amount equal to the amount which he would have been permitted to make had he continued in the employ of said city after the first day of September one thousand nine hundred forty-five and had continued to be paid the same salary as he received when he was last employed by said city This new amount whether it be more less or the same as the amount which he paid prior to the first day of September one thousand nine hundred forty-five he shall continue to pay until he applies for a pension under the provisions of this act If there be any difference between the amount which he has paid from the first day of September one thousand nine hundred forty-five and the amount which he has elected to pay under the provisions of section five he shall pay such difference into the board of pensions within six months of the effective date of this amendment

Section 2 The said act is hereby amended by adding thereto a new section to read as follows

Section 14 In addition to the pension which is authorized by this act and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall become entitled to the payment of a pension and who has been employed by the said city or county for at least twenty-one years shall also be entitled to the payment in addition to the said pension of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years in excess of twenty years during which a contributor has been employed by such city or county and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the pension which has become payable to such contributor in accordance with the provisions of this act Provided That no service increment may be paid for employment of more than twenty such excess years nor for any excess years which shall accrue after a contributor has reached the age of sixty-five years and no service increment shall be paid in excess of one hundred dollars ($100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the board of pensions a monthly sum in addition to his or her pension contribution which shall be equal to one-half of one per centum of his or her salary Provided That such payment shall not exceed the sum of one dollar ($1.00) per month nor shall the total payment for pension contribution and service increment contribution exceed thirteen dollars ($13.00) per month And Provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are pension fund contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Any pension fund contributor who shall after the effective date of this act leave the service of such city or county after having completed at least twenty years' service but before reaching the age of sixty years and who shall continue to pay pension contributions into the pension fund shall not pay service increment contributions after the date of leaving the service of such city or county and shall have his or her service increment limited to the actual years spent in the service of such city or county

(5) Service increment contributions shall be paid at the same time and in the same manner as pension contributions and may be withdrawn in full without interest by persons who leave the employment of such city or county subject to the same conditions by which pension contributions may be withdrawn When any person is re-employed by the city or county after withdrawal of pension contributions his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund subject to the same conditions by which pension fund withdrawals are permitted to be repaid

(6) All employes of such city or county who are now contributors to the pension fund and all persons who are employed by such city and county after the effective date of this amendment who are required to become contributors to the pension fund shall be subject to the provisions of this amendment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sax.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SAX. I shall Mr. Speaker.

Mr. ROSE. Mr. Speaker, will the gentleman tell me whether there has been any estimate by actuaries as to the cost of operating the increase under this bill?

Mr. SAX. Mr. Speaker, the estimated increase under this bill is approximately one hundred twenty-five thousand dollars a year.

Mr. ROSE. Mr. Speaker, will the gentleman tell me how this additional sum will be obtained.

Mr. SAX. Mr. Speaker, the employes in the city of Philadelphia will pay one half of one percent in addition to their present money that is given to the State fund, which will bring in approximately one hundred twenty thousand dollars a year.

Mr. ROSE. Mr. Speaker, will there be any additional contributions required of the city itself to maintain the pension fund to the point where these additional payment will be made to the beneficiaries?

Mr. SAX. Mr. Speaker, the city of Philadelphia will gain possibly the sum of fifteen thousand dollars a year.

Mr. ROSE. I thank the gentleman. Mr. Speaker, in the not too distant future we are hoping that a considerable number of the city employes in the city of Philadelphia

will be retired by the electorate. Therefore, I think this bill is a worthwhile measure and I ask you to support it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Altshuler,	Gallagher,	Lovett,	Rose,
Amarando,	George,	Madigan,	Rosen,
Andrews,	Gibson,	McCormack,	Rovansek,
Bane,	Glembocki,	McCullough,	Royer,
Barkdoll,	Good,	McGee,	Sarraf,
Baumunk,	Goodling,	McKinney,	Sax,
Beaver,	Graybill,	McMillen,	Scanlon,
Bednarek,	Green,	McNally,	Schmidt,
Blair,	Greenwood,	Mihm,	Schuster,
Bloom,	Greer,	Mikula,	Scott,
Boles,	Guarnieri,	Miller,	Seyler,
Bomberger,	Guthrie,	Milliken,	Shoemaker,
Boorse,	Hagerty,	Mills,	Smith, C. C.,
Brandon,	Hall,	Mintess,	Smith, W. B.,
Breisch,	Hamilton,	Monroe,	Snider,
Breth,	Harney,	Moore, C. E.,	Sollenberger,
Brice,	Harris,	Moore, H. A.,	Spencer,
Brown, H. S.,	Haudenshield,	Moran,	Stank,
Brown, Wm. E.,	Heatherington,	Munley,	Sternberg,
Bucchin,	Helm,	Murray,	Stimmel,
Cadwalader,	Herman,	Musto,	Stuart,
Clapper,	Hersch,	Nagel,	Swope,
Clendening,	Hewitt,	Najaka,	Tahl,
Cochran,	Hocker,	Needham,	Taylor,
Cole,	Hoffman,	Neff,	Thompson,
Coleman,	Hoggard,	Nixon,	Tompkins,
Conway,	Hunter,	O'Dare,	Toomey,
Cooper,	Jenkins,	O'Donnell,	Varallo,
Costa,	Jennings,	Olsen,	Varner,
Dalrymple,	Jim,	Orban,	Verona,
DeLong,	Johnson,	Penglase,	Wachhaus,
Dennison,	Jones, G. E.,	Pentrack,	Wagner,
Depuy,	Jones, J. M.,	Peta,	Wargo,
Dougherty,	Jump,	Petrosky,	Waterhouse,
Driscoll,	Kamyk,	Pettigrew,	Watkins,
Duffy,	Keller,	Pfaff,	Weidner,
Dye,	Kemp,	Polen,	Weiss,
Elder,	Kent,	Posta,	Welsh,
Erb,	Kirley,	Powers,	Wescott,
Evans,	Kline,	Price, H. W., Jr.,	Westrick,
Ewing,	Kohl,	Price, R. A.,	Wheeler,
Felton,	Kolankiewicz,	Propert,	Williams,
Ferster,	Kondrath,	Readinger,	Wood,
Filo,	Kratz,	Reagan,	Worley,
Firmstone,	Kurtz,	Reese,	Yaffe,
Flack,	Lederer,	Reidenbach,	Yeakel,
Fleming,	Lee,	Reilly, J. M.,	Yester,
Floyd,	Leisey,	Reynolds,	Yetzer,
Fox,	Leonard,	Riley, R. L.,	Young,
Frank,	Limper,	Robbins,	Ziegler,
Frost,	Loftus,	Robertson,	Sorg,
Gaffney,			Speaker

NAYS—2

Bower	Brunner,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1187, as follows:

An Act to further amend section one and to amend section five of article three and to add article twenty-six to the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by creating a Department of Licensing and Inspection authorizing the transfer to the said department of such licensing and inspection functions as city council may determine and requiring certain officers to file surety bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of article three of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" as last amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1189) is hereby further amended to read as follows

Section 1 There shall be the following executive departments

1 Department of Public Safety
2 Department of Public Works
3 Department of Public Health
4 Department of Public Welfare
5 Department of Wharves Docks and Ferries
6 Department of City Transit
7 Department of City Treasurer
8 Department of City Controller
9 Department of Law
10 Civil Service Commission
11 Department of Receiver of Taxes
12 Department of Supplies and Purchases
13 Department of City Architecture
14 Department of Licensing and Inspection

No department shall be created by the council other than those herein enumerated

Section 2 Section five of article three of said act is hereby amended to read as follows

Section 5 The directors of public works public health public welfare wharves docks and ferries and city transit supplies and purchases city architecture licensing and inspection and the city solicitor shall each give bond in the usual form in the sum of twenty-five thousand dollars to be approved as now provided by law

Section 3 The said act is hereby amended by adding after article XXV as added by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1189) a new article XXVI to read as follows

Article XXVI

Department of Licensing and Inspection

Section 1 There shall be a Department of Licensing and Inspection of which the director of licensing and inspection shall be the head He shall be appointed by the mayor by and with the advice and consent of the council and shall hold office during the term for which the mayor who appointed him was elected and until his successor is appointed and qualified

Section 2 The director of licensing and inspection shall have the power to appoint an assistant director who in the absence or incapacity of the director to act shall possess all the powers and perform all the duties of the director until the incapacity or inability of the director is removed or until a new director is appointed and qualified as hereinbefore provided The director shall also appoint such officers and employes as may be provided for by ordinance

Section 3 The Department of Licensing and Inspection shall have the care management direction control and administration of licensing and inspection functions as transferred thereto from time to time by city council

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,

Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1194, as follows:

An Act regulating the appointment promotion suspension reduction removal and reinstatement of employes (except superintendents deputy superintendents and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All positions in the bureau of police except as hereinafter provided in cities of the second class shall be in the competitive class of the civil service of such cities This act shall not apply to or include superintendents of police under the director of the department of public safety by whatever title his position may be designated nor his ranking deputy by whatever title his position may be designated nor to the chief clerks in bureaus of police in such cities

Section 2 The civil service commissions in cities of the second class shall not have the power to change any rule or regulation which has been established and which is in force and effect on the date of the approval of this act in so far as the same shall apply to the positions provided for in this act to be in the competitive class nor shall any commission have the power to waive any such rule or regulation in any specific case or cases

Section 3 Each applicant for original appointment to any position in the competitive class in any bureau of police in any city of the second class shall undergo a physical examination which shall be conducted by a commission composed of doctors of medicine appointed for that purpose by the mayor Said commission shall certify to the civil service commission that the applicant is free from bodily or mental defects deformity or disease that might incapacitate him from the performance of the duties of the position he is seeking before such applicant is permitted to take any further examination No application for such appointment shall be received from any person who is under twenty-one years of age or over thirty-five years of age at the date of his application Nor shall any such application be received from any person who has not been a bona fide resident of the city for one year next preceding the date of his application Provided That any applicant for reinstatement as a member of the bureau of police who shall have served as an employe in such bureau of police for a period of more than six months and who at the time of his application for reinstatement shall be a resident of such city shall be eligible for such reinstatement even though such applicant shall be over the age of thirty-five years

Section 4 Reinstatement as employes in said bureau of police may be made without any restriction or restrictions as to time No examination other than a physical examination as directed by the civil service commission shall be required in any case of reinstatement Any person so reinstated shall be the lowest in rank in the bureau next above the probationers in such bureau

Section 5 No person employed in a competitive position in the bureau of police in any city of the second class shall be eligible for promotion from a lower grade to a higher grade until such person shall have completed at least four years service in the grade of patrolman

Section 6 Vacancies in positions in the competitive class shall be filled by promotions from among persons holding positions in a lower grade in the bureau of police Promotions shall be based upon merit to be ascertained by tests to be provided by the civil service commission and upon the superior qualifications of the person to be promoted as shown by his previous service and experience The civil service commission shall maintain a numerical list of those persons qualified for promotion to the next superior position which list shall be permanent and from which list the director of the department of public safety shall make all promotions in the order in which the names appear on said list The director of the department of public safety shall not pass over any name appearing on the civil service commission list for promotion until the promotion is first tended to the first name thereon and then only when said person refuses said promotion or is physically unable to carry out the duties of the new position The civil service commission shall have the power to determine each instance whether an increase in salary constitutes a promotion

Section 7 No employe in the competitive class in any bureau of police in any city of the second class shall be removed discharged or suspended for a period exceeding ten days as a penalty or reduced in rank or pay without his written consent except for just cause which shall not be religious or political nor in any event except by the decision of a court either of trial or inquiry duly determined and certified in writing to the mayor and approved in writing by the mayor which court shall be composed of three persons employed in said bureau of police equal or superior in rank therein to the accused Such decision shall only be determined by trial of charges with plain specifications made by or lodged with the director of the department of public safety of which trial the accused

shall have due notice and at which he shall have the right to be present in person and represented by a brother employe or an attorney-at-law to act as his counsel The persons composing said court shall be appointed and shall be sworn by the director of the department of public safety to perform their duties impartially and without fear or favor The person of highest rank in said court shall have the same authority to issue and enforce process to secure the attendance of witnesses as is possessed by any justice of the peace of the Commonwealth if said persons shall be equal in rank then the persons composing said court shall select one of their number to exercise such authority Such charges may be of disability for service in which case the court shall be one of inquiry whose decision may be for the honorable discharge of the employe concerned or of neglect or violation of law or duty inefficiency intemperance disobedience of orders or unbecoming official or personal conduct in which cases the court shall be one of trial and its decision shall authorize the director of public safety to impose fines and pecuniary penalties to be stopped from pay or to suspend from pay or duty or both for a period fixed by them not exceeding one year or to dismiss from the service It shall be lawful for the director of the department of public safety at his discretion to suspend from duty before trial any employe charged as aforesaid until such trial can be had with or without pay as such court shall afterwards determine but no trial shall be delayed for more than ten days following the date of suspension

Section 8 After full and complete hearing the court of trial or inquiry shall determine its decision which shall be promptly certified in writing to the mayor After approval by the mayor in writing the director of the department of public safety shall notify the accused in writing of such decision including the penalty if any In every case of such removal discharge suspension reduction or fine the complete record of the proceedings and decision of the court of trial or inquiry approval by the mayor and notice of the director of the department of public safety shall be furnished forthwith to the civil service commission and entered upon its records Within ten days following the receipt of the written notice of the director of the department of public safety if served personally or within ten days from the date of the mailing of such written notice by the director of the department of public safety to the last known address of the accused employe the accused employe shall have the right to appeal to the civil service commission of such city The civil service commission shall view the entire record including the testimony before the court of trial or inquiry and shall have the right to affirm modify or revoke the decision of the court of trial or inquiry The civil service commission in arrving at its decision may permit the taking of additional testimony but shall not be bound to do so If the civil service commission shall fail to sustain the decision of removal of the officer the person sought to be removed shall be reinstated with full pay for the entire period during which he has been prevented from performing his usual employment and no charges shall be recorded against him. In the event the decision shall be modified or sustained by the civil service commission the person penalized shall have the right to appeal by petition to the court of common pleas of the county within thirty days after receipt of written notice of such action by the civil service commission It shall be the duty of the civil service commission to give such notice In every case so appealed to the court of common pleas of the county the court shall hear the charges made against the accused de novo Notice of the taking of such appeal shall be served on the city solicitor within ten days following the taking of the appeal The court shall fix a time and place for hearing shall make findings of fact and conclusions of law and file a decision The issue before the court shall be whether the action of the trial court shall be affirmed or modified in any respect or whether the charges should be dismissed Where any policeman has been suspended by the action of the trial court and the charges are dismissed on appeal the policeman shall receive full compensation for the entire period of suspension

Section 9 If for reasons of economy or lack of funds it becomes necessary for any city of the second class to reduce any employes of its bureau of police then the city shall follow the following procedure

First If there are any employes in its bureau of police eligible for retirement under the terms of any police pension fund then such reduction shall be made by retirement on pension of the oldest in age and service

Second If the number of employes in its bureau of police eligible for retirement under the pension fund of said city is insufficient to affect the reduction in number desired by the city or if there is no eligible person for retirement or if no retirement fund exists in said city then the reduction shall be effected by suspending the last man or men starting with probationers that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last man appointed all recent appointees until such reduction shall have been accomplished Whenever the number of employes in the bureau of police shall be again increased in number or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to their former class before any new appointees are appointed in the inverse order in which they were suspended

Section 10 All persons holding appointive positions in the bureau of police in any city of the second class upon the effective date of this act shall continue to hold such positions subject to the provisions of this act except that they shall not be required to take any examinations required by this act other than examinations required for promotions

Section 11 So much of section one of article three of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" as relates to the removal and dismissal of policemen in cities of the second class as reenacted and amended by the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1761) is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 12 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRANDON. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Thompson.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. THOMPSON. I shall, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, the city of Pittsburgh at the present time has a civil service commission for practically all employes in the Police Department, with the exception of the Detective Bureau, Inspectors and Women Police Officers?

Mr. THOMPSON. I believe that is correct, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, is that at the present time a going operation of the Civil Service that adequately protects the city employes and the policemen from political reprisal of any kind?

Mr. THOMPSON. To a certain extent, Mr. Speaker, but it does not protect the city detectives or inspectors. As to women police officers, if you are talking about the school police——

Mr. BRANDON. Mr. Speaker, under the terms of this

bill, are all promotions of any kind made subject to competitive examination?

Mr. THOMPSON. Mr. Speaker, does the gentleman mean under the terms of House Bill 1194?

Mr. BRANDON. Yes, Mr. Speaker.

Mr. THOMPSON. That is correct, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, does the gentleman know of any way under a competitive examination that the city could reward city police officers for the faithful performance of duty or for outstanding performance of duty by the terms of a competitive examination?

Mr. THOMPSON. Mr. Speaker, an officer who does his duty and can pass the necessary examination and put himself in position for a promotion, that is right.

Mr. BRANDON. Mr. Speaker, under this bill, isn't it mandatory upon the city to promote the highest person on a competitive examination, regardless of his previous performance, or his capacity on a lower job?

Mr. THOMPSON. That is correct, Mr. Speaker.

Mr. BRANDON. In other words, there is no way that the city by promotion could reward a diligent employe?

Mr. THOMPSON. Mr. Speaker, every employe is considered to be diligent and considered to do his duty properly. Under civil service he goes to the top of the list, and if he hasn't done his duty he is penalized.

Mr. BRANDON. Mr. Speaker, I desire to ask the gentleman if under the terms of this bill, they do not provide for a trial much similar to those which presently exist in the Trial Board of the Fire Department and Police Department of the city of Pittsburgh?

Mr. THOMPSON. Mr. Speaker, this bill does not change the set up of the Trial Board whatsoever.

Mr. BRANDON. It remains the same, does it Mr. Speaker?

Mr. THOMPSON. Mr. Speaker, it is exactly the same except there is an appeal to a common police court.

Mr. BRANDON. Mr. Speaker, under section two of this bill I believe that all present rules and regulations of the civil service commission of Pittsburgh are frozen and can never be changed?

Mr. THOMPSON. I wouldn't say exactly that, Mr. Speaker, but they stand just exactly as they are.

Mr. BRANDON. Mr. Speaker, that means that the civil service commission has no right to change the present rules and regulations in case of fire or any public catastrophe; they would have no authority to change the present rules and regulations is that right?

Mr. THOMPSON. Mr. Speaker, is that correct that——

Mr. BRANDON. Mr. Speaker, I am doing the asking. Will the gentleman please answer my question?

Mr. THOMPSON. Mr. Speaker, I will say this, to the best of my knowledge it does not change the present set up in the civil service procedure, except that it includes under civil service city detectives and inspectors.

Mr. BRANDON. Mr. Speaker, does the gentleman from Allegheny regard a police inspector as a policy making official in the sense of having wide powers?

Mr. THOMPSON. Mr. Speaker, the police inspector is in charge of his district. He is the crux of the whole matter. Whatever he wants to have done in that district is done.

Mr. BRANDON. Mr. Speaker, in other words, if the city administration in the city of Pittsburgh has no control over the police inspectors, then it has no control over the department?

Mr. THOMPSON. That is correct Mr. Speaker, that is exactly what we want in good government.

Mr. BRANDON. Mr. Speaker, the purpose of this bill is to deprive the city administration of any control of the police department, is that not correct?

Mr. THOMPSON. No, Mr. Speaker, the city administration has the authority to appoint the Superintendent of Police, the chief deputy and chief clerk. As it is at the present time, your inspectors are now under the control of the ward chairmen. This eliminates that.

Mr. BRANDON. Mr. Speaker, does the gentleman still not say that what the inspector wants done in his district is what is done? This bill prohibits the administration from making a change of any inspector, is that correct?

Mr. THOMPSON. No, Mr. Speaker, if he does not do his job he is subjected to trial by the trial board the same as any policeman.

Mr. BRANDON. Mr. Speaker, the only person who would try him would be the Board of Inspectors?

Mr. THOMPSON. Mr. Speaker, or the Superintendent of Police; either his equal in rank or above it.

Mr. BRANDON. Mr. Speaker, any time civil service is up for consideration, it is always looked upon as necessarily a good bill. Actually if this bill were introduced for the purpose of civil service reform, then it would have perhaps a much greater appeal than this present bill does. The administration of the city of Pittsburgh has consistently followed the civil service provisions applying to the police department. I believe at the present time there are seven positions before this bill was introduced to be included under civil service. But this bill is in no sense a civil service bill. We have civil service in Pittsburgh now. This bill is contrariwise a straight jacket. Its sole purpose is to prevent the city administration from having control over the police in the city of Pittsburgh. How can it be said, if you elect a mayor who is responsible for the public safety and then pass a bill here and say that the mayor cannot fire that inspector or demote him?

Another thing to show the animus with which this bill was introduced, its true purpose is not civil service reform. The city of Pittsburgh has sixty two pages of regulations covering all civil service employees. It covers all of them; it makes no exception; it covers all of them. The purpose of this bill, as I see it, is making it impossible for the city to change any civil service regulations and actually freeze them, so that no matter what happens in the future the city cannot make any changes in the present city civil service rules. That is what section two does.

Mr. Speaker, how can you possibly vote for a bill that would straight jacket the responsible officials, the heads of the departments, so that they cannot control their particular departments? Therefore, gentlemen, not because it is a civil service bill, but because it is not a civil service bill and is a straight jacket bill and not introduced with any idea of promoting civil service reform, but contrariwise, I ask you to vote against this bill.

Mr. THOMPSON. Mr. Speaker, if civil service has any merit at all, it is just exactly what the gentleman from Allegheny, Mr. Brandon, calls freezing men in their jobs. That is just the purpose of civil service, to protect that man on his job so that he can do his duty without fear of

being penalized for it. If any employe under civil service does not conform to the regulations, if he ducks his job, if he does things contrary to what he should do, then he is subject to being penalized before the trial board, and that is what the trial board is for.

Mr. Speaker, the only changes I can see in this bill made in the present set-up in Pittsburgh is that it includes under civil service, city detectives and district inspectors. Those men are not now included in civil service in the city of Pittsburgh. The very crux of the whole matter, as I said a moment ago, is in these inspectors and the city detectives. These men are subject to being penalized by the political whims of various ward chairmen and city officials. They cannot do their job properly. In Pittsburgh a great many times in the recent past, I have read in newspapers; as a matter of fact, last fall we had a grand jury investigation in Pittsburgh, and only a week ago, I read in one of the Pittsburgh daily papers, that the numbers joints were opening up again, this investigation having been out of the way for some time. So far as I can see, this bill now, really makes civil service effective in the city of Pittsburgh; it takes care of all of the police officers; they are promoted on merit and they are protected in their jobs if they can do their duty. I ask you all to vote for this bill.

Mr. BRANDON. Mr. Speaker, would the gentleman from Allegheny, Mr. Thompson, permit himself to be further interrogated?

The SPEAKER. Will the gentleman from Allegheny, Mr. Thompson, permit himself to be further interrogated?

Mr. THOMPSON. I shall, Mr. Speaker.

Mr. BRANDON. Mr. Speaker, is there any inspector in the city of Pittsburgh at the present time whom the gentleman does not regard as a qualified police officer?

Mr. THOMPSON. Mr. Speaker, I must say that I am not acquainted with the different inspectors of the city of Pittsburgh to answer that question.

Mr. BRANDON. That is all.

Mr. Speaker, I suggest to the Members of the House that if at the present time we have inspectors who are qualified police officers, we have achieved them even without civil service provisions. I would say that if the mayor is responsible for the police department he must have control over them. If he does not control the inspectors he does not control the police department. Mr. Thompson admits that. There is no way that the city of Pittsburgh can discharge its duty unless it has the power. Responsibility without power is a fruitless thing.

Therefore, I ask the Members of the House to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

Amarando,	Fox,	Madigan,	Sax,
Bane,	Frank,	McCormack,	Scanlon,
Barkdoll,	Frost,	McCullough,	Schuster,
Baumunk,	Gallagher,	McKinney,	Scott,
Bednarek,	George,	McMillen,	Shoemaker,
Blair,	Gibson,	Mikula,	Smith, C. C.,
Bloom,	Glembocki,	Miller,	Snider,
Boies,	Graybill,	Milliken,	Sollenberger,
Bomberger,	Green,	Mintess,	Spencer,
Boorse,	Greenwood,	Monroe,	Stank,
Bower,	Greer,	Moore, C. E.,	Sternberg,
Breisch,	Guarnieri,	Moore, H. A.,	Stimmel,
Brice,	Guthrie,	Munley,	Stuart,
Brown, W. E.,	Hall,	Murray,	Swope,
Brunner,	Harney,	Najaka,	Tahl,
Clapper,	Harris,	Needham,	Thompson,
Clendening,	Haudenshield,	Neff,	Tompkins,
Cochran,	Herman,	Nixon,	Toomey,
Cole,	Hewitt,	O'Dare,	Varner,
Cooper,	Hocker,	O'Donnell,	Wachhaus,
Costa,	Hoffman,	Orban,	Wagner,
Dalrymple,	Jennings,	Penglase,	Wargo,
DeLong,	Jim,	Peta,	Waterhouse,
Dennison,	Johnson,	Posta,	Watkins,
Depuy,	Jones, G. E.,	Price, H. W., Jr.,	Weidner,
Dougherty,	Jump,	Price, R. A.,	Wescott,
Driscoll,	Keller,	Propert,	Wheeler,
Dye,	Kemp,	Reagan,	Williams,
Elder,	Kent,	Reese,	Wood,
Erb,	Kline,	Reidenbach,	Worley,
Evans,	Kohl,	Reilly, J. M.,	Yaffe,
Ewing,	Kolankiewicz,	Riley, R. L.,	Yeakel,
Felton,	Kratz,	Robbins,	Yester,
Ferster,	Kurtz,	Robertson,	Yetzer,
Firmstone,	Lee,	Rovansek,	Young,
Flack,	Leisey,	Royer,	Ziegler,
Fleming,	Loftus,	Sarraf,	Sorg,
Floyd,	Lovett,		Speaker

NAYS—36

Andrews,	Hamilton,	McNally,	Pfaff,
Beaver,	Heatherington,	Mihm,	Powers,
Brandon,	Jenkins,	Mills,	Readinger,
Breth,	Kamyk,	Moran,	Seyler,
Bucchin,	Kirley,	Musto,	Smith, W. B.,
Filo,	Kondrath,	Nagel,	Varallo,
Gaffney,	Lederer,	Olsen,	Weiss,
Good,	Leonard,	Pentrack,	Welsh,
Hagerty,	Limper,	Petrosky,	Westrick,

NOT VOTING—22

Altshuler,	Duffy,	Hunter,	Reynolds,
Brown, H. S.,	Goodling,	Jones, J. M.,	Rose,
Cadwalader,	Helm,	Krise,	Rosen,
Coleman,	Hersch,	McGee,	Schmidt,
Conway,	Hoggard,	Pettigrew,	Verona,
		Polen,	Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INQUIRY

Mr. McMILLEN. I rise to a question of inquiry.

The SPEAKER. The gentleman from Indiana will state it.

Mr. McMILLEN. Mr. Speaker, will the gentleman from Cambria, Mr. Andrews, please explain the material in his hand?

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated? The gentleman says he will not.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College to acquire certain tracts of land adjacent to Edinboro State Teachers College in Erie County Pennsylvania and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees

of Edinboro State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania for the use of the Edinboro State Teachers College two tracts of land in Borough of Edinboro County of Erie Pennsylvania described as follows

First All that certain piece or parcel of land lying and being situated in the Borough of Edinboro County of Erie and State of Pennsylvania bounded and described as follows to wit

Beginning at a post in the South Street now known as Normal Street sixty (60) feet east of the northeast corner of lot formerly owned by Walter A Kenyon Said point also being the northeast corner of land formerly owned by I M McClymonds now owned by the Commonwealth of Pennsylvania thence eastward along Normal Street eleven and seven tenths (11.7) perches to land formerly of Willard Greenfield thence north eighty-two degrees east seven and two-tenths (7.2) perches to land formerly belonging to Alonzo Perry now owned by Lucille Ghering thence southward by said land forty-three and one tenth (43.1) perches to a post thence south fifty-nine degrees west seven and two-tenths (7.2) perches to a post thence north thirty-one and one half degrees east forty-six and seventy-two hundredths (46.72) perches to the place of beginning Containing five (5) acres and one hundred five (105) perches of land be the same more or less It being the same land conveyed to Henry H Leacock by deed April 24th 1908 and later conveyed by the said Henry H Leacock and Sarah J Leacock his wife to John H Doing by deed dated the 21st day of March 1910 and recorded in the Recorder's office of Erie County Deed Book 302 page 470

Second All that tract and parcel of land situate immediately south of the parcel described above extending along the east line of the property of Edinboro State Teachers College about sixteen hundred feet south to Darrow Road along Darrow Road east about one thousand feet and bounded by Darrow Creek now owned by Lucille Ghering or Lucille Ghering and her husband

Section 2 Said tracts of land when purchased shall be added to the lands of the Edinboro State Teachers College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of four thousand dollars ($4000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the purchase prices of said tracts of land and the expenses incidental thereto including title searches

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1260, as follows:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Cities of the first class are hereby authorized and empowered to enact ordinances relating to the sanitary conditions to be maintained in leased dwellings and providing for the responsibilities of owners and tenants in such dwellings

Section 2 The council of such city enacting such ordinance may create a Dwelling Inspection Board of at least five members to be appointed by the Mayor of such city Council is authorized to set the terms for which such members are apopinted and to prescribe other qualifications that might be necessary

Section 3 The council shall be authorized by such ordinance to prescribe the duties and powers of such board and fix the compensation of the members

Section 4 Such ordinance may prescribe that after its passage no person either as owner or agent shall lease a dwelling to any person or persons unless such owner or agent has applied for and received a tenancy permit from the Dwelling Inspection Board of the Department of Public Health and that no person may occupy such dwelling until the Certificate of Tenancy has been issued

Section 5 Such ordinance may prescribe that any person violating any of its provisions shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) or to undergo imprisonment for a term of not less than six (6) months nor more than one (1) year or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to reenact and amend the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 135) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 135) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" is hereby reenacted and amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to grant and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate lying and being in the Borough of Norristown in the County of Montgomery and the Commonwealth of Pennsylvania bounded and described as follows

All that certain land described according to a survey made thereof May 18 1942 by the Engineering Department of the Borough of Norristown as follows

Beginning at a point in the center line of Johnson Highway (said center line of Johnson Highway being also the division line between the Borough of Norristown and the Township of East Norriton) said point being three hundred sixty-six and seventy-four one- hundredths feet North forty-two degrees sixteen minutes West measured along said center line of Johnson Highway from a monument marking the point of intersection of said center line of Johnson Highway with the Northwesterly side of Harding Boulevard thence from said point of beginning South forty-five degrees one minute West four hundred thirty-four feet to a point thence South four degrees thirty-eight minutes West five hundred sixty-three and twelve one-hundredths feet to a point on the Northwesterly side of Harding Boulevard and along said side of Harding Boulevard South forty-five degrees six minutes West three hundred eighty-five and sixty-four one-hundredths feet to a point in line of land formerly of the Aged Women's Home now of the Borough of Norristown thence along said land of the Borough of Norristown North forty-five degrees twelve minutes West four hundred twenty-four feet to a point in or near the Middle of Stony Creek and thence along or near the middle of Stony Creek the following several courses and distances North thirty degrees twenty-six minutes East ten feet North Twenty degrees twenty-three minutes East one hundred seventy-six and fifty-six one-hundredths feet North sixteen degrees forty-one minutes East one hundred seventy-five and ninety one-hundredths feet North eight degrees fifty-eight minutes East one hundred eighty-nine and thirty-one one-hundredths feet North seven degrees thirty-four minutes East one hundred eighty-nine and sixty-five one-hundredths feet thence along and into and thru the East branch of Stony Creek the following several courses and distances North sixteen degrees sixteen minutes East seventy-five feet North twenty-seven degrees twenty-five minutes East seventy-four and ninety-two one-hundredths feet North fifty-one degrees twenty-eight minutes East seventy-five and forty-three one-hundredths feet North fifty-eight degrees nineteen minutes East seventy-five and twenty-one one-hundredths feet North seventy-five degrees thirty-two minutes East ninety-eight and eleven one-hundredths feet thence North sixty-nine degrees twenty-seven minutes East thirty-four and eighteen one-hundredths feet thence North forty-five degrees thirty-six minutes East thirty-three and fifty-nine one-hundredths feet North ten degrees fifty-nine minutes East thirty-four and twelve one-hundredths feet thence North twenty-three degrees twelve minutes East twenty-six and sixty-six one-hundredths feet thence North seventy-seven degrees East twenty-six and sixty-eight one-hundredths feet thence South eighty-three degrees fifty-six minutes East eighty and forty-five one-hundredths feet thence North seventy-eight

degrees fifty-six minutes East seventy and thirty-one one-hundredths feet and North eighty-six degrees eleven minutes East thirty and seven one-hundredths feet to a point of intersection of the center line of said Stony Creek and the center line of Johnson Highway thence along the center line of Johnson Highway South forty-two degrees sixteen minutes East three hundred three and seven-tenths feet to the first mentioned point and place of beginning containing 14.9251 acres of land be and the same more or less

Section 2 The said grant to be made upon the condition that if said land should ever be abandoned by the Borough or Norristown for park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania Nothwithstanding this provision and any similar provision contained in any deed of conveyance made pursuant to this act the Borough of Norristown shall have the right to charge and collect a reaseonable admission fee from all persons attending athletic and other events conducted on any part of the park maintained on said land The amount of such fee shall be limited to enough only to pay for the cost of maintaining the park

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to reenact and amend the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 181) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 181) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" is hereby reenacted and amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to grant and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate in the Borough of Norristown County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a monument the intersection of the center line of West Johnson Highway and the West side of Harding Boulevard thence extending in a Southerly direction along the West side of Harding Boulevard South 45° 06′ West 845.50 feet to a point thence extending in a general Northerly direction said line dividing lands of the Borough of Norristown and the Commonwealth of Pennsylvania North 4° 38′ East 563.12 feet to a point thence extending North 45° 01′ East 434 feet to a point in the center of Johnson Highway thence along the center of said Johnson Highway South 42° 16′ East 366.74 feet to the place of beginning containing 5.3424 acres

Section 2 The grant hereby made is upon the condition that if said land should ever be abandoned by the Borough of Norristown for public park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania Notwithstanding this provision and any similar provision contained in any deed of conveyance made pursuant to this act the Borough of Norristown shall have the right to charge and collect a reasonable admission fee from all persons attending athletic and other events conducted on any part of the park maintained on said land The amount of such fee shall be limited to enough only to pay for the cost of maintaining the park

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1287, as follows:

An Act to repeal the act approved the first day of May one thousand nine hundred thirteen (P. L. 131) entitled "An act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act" so far as the same relates to Delaware County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirteen (P. L. 131) entitled "An act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act" as amended by the act approved the ninth day of July one thousand nine hundred nineteen (P. L. 793) is hereby repealed in so far as it relates to Delaware County

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRETH. Mr. Speaker, I rise to apologize to this side of the House. In caucus today I opposed this bill because the speed and the tempo of things put me in the class of Mr. Nagel. I wish to take back what I said in caucus and I ask the Members on this side of the House to vote for this bill, if they will do so.

The SPEAKER. The Chair thanks the gentleman.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Clendening.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. CLENDENING. I shall, Mr. Speaker.

Mr. LOVETT. Will the gentleman tell me just what the Act of 1913 was that they are now repealing?

Mr. CLENDENING. Mr. Speaker, the act of 1913 prohibits the snaring and poisoning of foxes in Delaware County.

Mr. LOVETT. Mr. Speaker, do you have to have a red coat and hat in order to do that?

Mr. CLENDENING. Mr. Speaker, the equipment was optional.

Mr. LOVETT. Mr. Speaker, is it now possible to poison one after you repeal this Act?

Mr. CLENDENING. It is, Mr. Speaker, in Delaware County only.

Mr. LOVETT. Mr. Speaker, I think that is outrageous. You should never poison a fox.

Mr. CLENDENING. Would the gentleman from Westmoreland mind repeating his last remark?

Mr. LOVETT. You should never allow the poisoning of a fox.

Mr. CLENDENING. Would the gentleman from Westmoreland say you should never allow the poisoning of foxes?

Mr. LOVETT. That is right, Mr. Speaker, unless you had a red coat.

The SPEAKER. The British are coming.

Mr. LOVETT. Mr. Speaker, I thank the gentleman. I am still confused and I don't know whether to vote for or against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Altshuler,	Frost,	Lovett,	Rose,
Amarando,	Gaffney,	Madigan,	Rosen,
Andrews,	Gallagher,	McCormack,	Rovansek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McGee,	Sarraf,
Baumunk,	Glembocki,	McKinney,	Sax,
Beaver,	Good,	McMillen,	Scanlon,
Bednarek,	Goodling,	McNally,	Schmidt,
Blair,	Graybill,	Mihm,	Schuster,
Bloom,	Green,	Mikula,	Scott,
Boles,	Greenwood,	Miller,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,

Bower,	Guthrie,	Mintess,	Smith, W. B.,
Brandon,	Hagerty,	Monroe,	Sollenberger,
Breisch,	Hall,	Moore, C. E.,	Spencer,
Breth,	Hamilton,	Moore, H. A.,	Stank,
Brice,	Harris,	Moran,	Sternberg,
Brown, H. S.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Wachhaus,
Costa,	Jennings,	Orban,	Wagner,
Dalrymple,	Jim,	Penglase,	Wargo,
DeLong,	Johnson,	Pentrack,	Waterhouse,
Dennison,	Jones, G. E.,	Peta,	Watkins,
Depuy,	Jones, J. M.,	Petrosky,	Weidner,
Dougherty,	Jump,	Pettigrew,	Weiss,
Driscoll,	Kamyk,	Pfaff,	Welsh,
Duffy,	Keller,	Polen,	Wescott,
Dye,	Kemp,	Posta,	Westrick,
Elder,	Kent,	Powers,	Wheeler,
Erb,	Kirley,	Price, H. W., Jr.,	Williams,
Evans,	Kline,	Price, R. A.,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Felton,	Kolankiewicz,	Readinger,	Yaffe,
Ferster,	Kondrath,	Reagan,	Yeakel,
Filo,	Kratz,	Reese,	Yester,
Firmstone,	Kurtz,	Reidenbach,	Yetzer,
Flack,	Lederer,	Reilly, J. M.,	Young,
Fleming,	Lee,	Reynolds,	Ziegler,
Floyd,	Leonard,	Riley, R. L.,	Sorg,
Fox,	Limper,	Robbins,	Speaker
Frank,	Loftus,	Robertson,	

NAYS—5

Brown, W. E.,	Harney,	Leisey,	Snider,
			Verona,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreebaly to order,

The House proceeding to the third reading and consideration of House Bill No. 1294, entitled:

An Act to add subsection (c) to section one thousand three hundred seventy-six of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring supervision of the Department of Public Instruction over schools for the deaf and schools for the blind receiving payments from the Commonwealth

On the question,,

Will the House agree to the bill on third reading?

Mr. WILLIAM B. SMITH. Mr. Speaker, I would like to have this bill held over. There is some question as to whether it affects a certain school in Allegheny County. I have seen in the paper that there is some doubt about this matter and I would like to have this bill held over, as I would like to check into the matter.

BILL PASSED OVER

The SPEAKER. If there are no objections, House Bill 1294, Printer's No. 457, will be passed over. The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1307, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed thirteen and one-half (13½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding three (3) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election held in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefore whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Limper,	Robertson,
Amarando,	Gaffney,	Loftus,	Rose,
Andrews,	Gallagher,	Lovett,	Rosen,
Bane,	George,	Madigan,	Rovansek,
Barkdoll,	Gibson,	McCormack,	Royer,
Baumunk,	Glembocki,	McCullough,	Sarraf,
Beaver,	Good,	McGee,	Sax,
Bednarek,	Goodling,	McKinney,	Scanlon,
Blair,	Graybill,	McMillen,	Schmidt,
Bloom,	Green,	McNally,	Schuster,
Boles,	Greenwood	Mihm,	Scott,
Bomberger,	Greer,	Mikula,	Seyler,
Boorse,	Guarnieri,	Miller,	Shoemaker,
Bower,	Guthrie,	Milliken,	Smith, C. C.,
Brandon,	Hagerty,	Mills,	Smith, W. B.,
Breisch,	Hall,	Mintess,	Snider,
Breth,	Hamilton,	Monroe,	Sollenberger,
Brice,	Harney,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harris,	Moore, H. A.,	Stank,
Brown, W. E.,	Haudenshield,	Moran,	Sternberg,
Brunner,	Heatherington,	Munley,	Stimmel,
Bucchin,	Helm,	Murray,	Stuart,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hersch,	Nagel,	Tahl,
Clendening,	Hewitt,	Najaka,	Taylor,
Cochran,	Hocker,	Needham,	Thompson,
Cole,	Hoffman,	Neff,	Tompkins,
Coleman,	Hoggard,	Nixon,	Toomey,
Conway,	Hunter,	O'Dare,	Varallo,
Cooper,	Jenkins,	O'Donnell,	Varner,
Costa,	Jennings,	Olsen,	Verona,
Dalrymple,	Jim,	Orban,	Wachhaus,
DeLong,	Johnson,	Penglase,	Wagner,
Dennison,	Jones, G. E.,	Pentrack,	Wargo,
Depuy,	Jones, J. M.,	Peta,	Waterhouse,
Dougherty,	Jump,	Petrosky,	Watkins,
Driscoll,	Kamyk,	Pettigrew,	Weidner,
Duffy,	Keller,	Pfaff,	Weiss,
Dye,	Kemp,	Polen,	Welsh,
Elder,	Kent,	Posta,	Wescott,
Erb,	Kirley,	Powers,	Westrick,
Evans,	Kline,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kohl,	Price, R. A.,	Williams,
Felton,	Kolankiewicz,	Propert,	Wood,
Ferster,	Kondrath,	Readinger,	Worley,
Filo,	Kratz,	Reagan,	Yaffe,
Firmstone,	Kurtz,	Reese,	Yeakel,
Flack,	Lederer,	Reidenbach,	Yester,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,		Robbins,	Sorg, Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1308, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding three (3) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election held in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefore whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of of this article until the expiration of said period of one year after the completion of said work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the probisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner.
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams.
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1309, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding three (3) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election held in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work

Section 2 This amendment shall become effective on January first next after the expiration of one full year after its adoption by the electors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,

Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 103, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organization defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive uses of school property validating past actions and permitting appropriation by school districts to extra-curricular organizations of funds heretofore raised through the use of school property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 511 [Rules and regulations governing] school athletics publications and organizations (a) The board of school directors in every school district [of the first or second class shall and in any district of the third or fourth class may] shall prescribe adopt and enforce such reasonable rules and regulations as it may deem proper regarding (1) the management supervision control or prohibition of exercises athletics or games of any kind [taken part in or played by any pupils as members of or in connection with any public school and regarding] school publications debating forensic dramatic musical and other activities related to the school program including raising and disbursing funds for any or all of such purposes and for scholarships and (2) the organization management supervision control financing or prohibition of [school publications and of] organization clubs [or] societies and groups of the members of any class or school and may provide for the suspension dismissal or other reasonable penalty in the case of any [superintendent teacher] appointee professional or other employee or pupil who violates any of such rules [and] or regulations

(b) Any school or any class activity or organization thereof with the approval of the board may affiliate with any local district regional State or national organization whose purposes and activities are appropriate to and related to the school program

(c) The board of school directors may (1) permit the use of school property real or personal for the purpose of conducting any activity related to the school program or by any school or class organization club society or group (2) authorize any school employe or employes to manage supervise and control the development and conduct of any of such activities (3) employ or assign any school employe to serve in any capacity in connection with any of such activities

(d) Notwithstanding the use of school property or personnel it shall be lawful for any school or any class or any organization club society or group thereof to raise expend or hold funds including balances carried over from year to year in its own name and under its own management under the supervision of the principal or other professional employe of the school district designated by the board Such funds shall not be the funds of the school district but shall remain the property of the respective school class organization club society or group The treasurer or custodian of such funds shall furnish to the school district a proper bond in such amount and with such surety or sureties as the board shall approve conditioned upon the faithful performance of his duties as treasurer or custodian The premium of such bond if any shall be paid from the fund or funds secured thereby or from the funds of the school district at the discretion of the board The treasurer or custodian shall be required to maintain an accounting system approved by the board shall deposit the funds in a depository approved by the board shall submit a financial statement to the board quarterly or oftener at the direction of the board and shall submit the accounts to be audited in like manner as the accounts of the school district

(e) All purchases of materials or supplies made by any organization club society or group or by any school or class in excess of three hundred dollars shall be made upon solicitation of quotations or bids from three or more responsible manufacturers of or dealers in such materials or supplies All such purchases shall be made from the lowest responsible bidder on the basis of price quality and service

Section 2 Section seven hundred seventy-five of said act is hereby amended to read as follows

Section 775 Use of school buildings for other purposes arrangements with city borough or township The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes under such rules and regulations as the board may adopt The board shall make such

arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper Any board of school directors may make such arrangements as it may see proper with any officials or individuals for the temporary use of school property for schools playgrounds social recreational or other proper educational purposes primaries and elections

Funds raised by individuals groups associations or corporations through the permissive use of school grounds or buildings now or hereafter authorized by law shall be the property of the individuals groups associations or corporations and not the property of the school district subject however to such arrangements as the board may at its discretion lawfully make

The board of school directors of any school district shall have power and authority to lease any part of their respective school building equipment and premises to any university or college of the Commonwealth approved by the State Council of Education for the purposes of conducting and maintaining therein university or collegiate courses Such leases shall be subject to the terms and regulations which may be adopted by the board of school directors and except in districts of the first class shall be further subject to the approval of the State Council of Education

Section 3 Whenever heretofore any board of school directors of any district shall have permitted the retention and expenditure or use by any organization club society or group of members of any class or school or by any class or school of moneys and property realized from athletic events or games of any kind or from school publications or debating forensic dramatic musical or other activities related to the school program if such action does not evidence any fraud or conspiracy to violate the provisions of the school laws then such action of the board of school directors shall be valid and binding on the school district and the same is hereby ratified confirmed and validated notwithstanding the fact that such moneys or property may have been dervied directly or indirectly through the use of public property of the school district or from the expenditure of tax moneys No board of school directors nor any member officer or employe thereof shall be subject to surcharge for or on account of any such action

Section 4 The board of school directors of any district is hereby authorized and emplowered to refund and appropriate to any class or school or to any organization club society or group of members of any class or school any moneys or property realized from athletic events or games of any kind or from school publications or debating forensic dramatic musical or other activities related to the school program that heretofore became the property of the school district whether or not such moneys or property have been derived directly or indirectly through the use of public property of the school district or from the expenditure of tax moneys

Section 5 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, O. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. R.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. R.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. R.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 177, Printer's No. 305

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 261, as follows:

An Act to add section two thousand three hundred fifteen point one to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive

and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article twenty-three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding after section two thousand three hundred fifteen a new section to read as follows

Section 2315.1 Stores at State Institutions With Regard to State institutions the department shall have the power to authorize the construction of separate buildings or the addition to or improvement of existing buildings for the purpose of operating and conducting therein a store or canteen for the convenience and benefit of the inmates or patients of such institutions out of moneys appropriated therefor by the General Assembly or from moneys derived from the operation of any such stores or from grants or gifts offered for such particular purpose

Whenever any such construction addition or improvement is made for such purpose the same shall become the property of the Commonwealth regardless of the source of the funds used in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. H.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	Olsen,	Varallo,
Conway,	Hunter,	O'Dare,	Varner,
Cooper,	Jenkins,	O'Donnell,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 350, as follows:

An Act to amend section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for field trials

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 720 Permits for Field Trials It shall be lawful to hold field meets or trials where dogs are permitted to work on liberated or native wild game in exhibition or contest provided due diligence is exercised by those directing such meet or participating therein to prevent the injury or killing of the game being pursued at any time during daylight hours from the twentieth day of August to the close of the training season as fixed by this act or by resolution of the commission without first securing a permit and from the close of such training season to the [fifteenth] thirtieth day of April after having secured a permit as hereinafter required

It shall also be lawful to hold field meets or trials for dogs with led game animals or with drags at any time between the sixteenth day of of April and the nineteenth day of August next following after having secured a permit as hereinafter required

Such permits may be issued by the director upon proper application and the payment of a fee of five dollars for each such trial held on not to exceed five consecutive days A representative of the commission shall supervise all such meets and enforce any rules and regulations of the commission governing the same

It is unlawful for three or more persons to hold or participate in a field trial or meet without first securing the permit required by this section Participants in a recognized field trial or meet shall not be required to be possessed of either a hunter's license or a tag while participating in such field trials

Any person who shall violate any provisions of this section shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution for each offense

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 404, as follows:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by including clerical personnel in the office of county superintendent of schools within definition of term "County Employe"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 285) is hereby further amended to read as follows

Section 311 "County Employe" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county including the clerical personnel in the office of the county superintendent of schools whose salaries are paid out of county funds or by the county institution district or by any county workhouse and inebriate asylum or by any county correctional institution or by the county retirement system at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term may at the option of the Retirement Board include any person elected by the vote of the people In all cases of doubt the Retirement Board shall determine who is an employe within the meaning of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,

Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 439, as follows:

An Act to further amend section ten of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 898) is hereby further amended to read as follows

Section 10 Voluntary Assistance by Veterans' Organizations For the purpose of locating the burial places of deceased service persons the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion [and] the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Grrenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 440, as follows:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" by further prohibiting the peddling of labeled flowers of certain veterans' organizations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as last amended by the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1191) is hereby further amended to read as follows

Section 1 Be it enacted &c That every honorably discharged soldier sailor and marine of the military or naval service of the United States who is a resident of this State and who is unable to procure a livelihood by manual labor shall have the right to hawk peddle and vend any goods wares or merchandise or solicit trade within this Commonwealth by procuring a license for that purpose to be issued without cost Provided That before any such soldier sailor or marine shall be entitled to the benefits of this act he shall present his certificate of pension or satisfactory proof that he receives compensation from the Federal Govrenment which shall be evidence of his disability if no pensioner nor a receiver of compensation he shall present a certificate from two reputable physicians that he is unable to procure his living by manual labor He shall also procure a certificate from the prothonotary of any county in this State that he has filed in the office of said prothonotary his affidavit setting forth that he is the bona fide owner in his own right of all the goods wares and merchandise which he proposes to hawk peddle and vend and that he will not engage to sell the same for any other person or persons whatever and that he will not sell or attempt to sell the labeled artificial flowers of the American Legion Veterans of Foreign Wars Spanish American War Veterans [and] Disabled American Veterans of the World War and the American Veterans of World War II AMVETS namely the poppy carnation the buddy poppy [and] the forget-me-not and the white clover and that he will not sell or offer to sell miniature American flags And provided further That the aforesaid certificate or proof of compensation together with such person's discharge from the military or naval service or an exemplified copy thereof shall be full and conclusive evidence of such person's rights to the benefits of this act The prothonotary issuing such certificate shall require the applicant to furnish two photographs of the applicant each bearing the signature of the applicant One photograph shall be filed with the application the other shall be attached to the certificate when issued

The use of such certificate by anyone other than the applicant shall nullify such certificate and shall nullify the privileges under this act of the applicant permitting such measure

Any person who shall peddle contrary to the provisions of this act or in violation of the affidavit which he made to obtain such license shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment for a term of ten (10) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank.	Limper.	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 441, as follows:

An Act to further amend section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended in part by the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 329) and the act approved the twenty-seventh day of March one thousand nine hundred forty-five (P. L. 84) is hereby further amended to read as follows

Section 439 Compilation of War Records (a) The county commissioners of each county in the State are hereby authorized and directed at the expense of the county to compile a record of the burial place within such county of deceased service men Such record so far as practicable shall indicate the name of each such person the service in which he or she was engaged the number of the regiment or company or command the rank and period of service the name and location of the cemetery or other place in which his or her body is interred the location of the grave in such cemetery or other place and the character of headstone or other marker if any at such grave Such record shall be known as the Veterans' Grave Registration Record of .....County and shall be a public record open to inspection during business hours

(b) The county commissioners of each county in this State shall cause record blanks to be prepared according to forms prescribed by the Department of Military Affairs whereby the information required for such record may be transmitted to them Every person firm association or corporation including a municipal corporation owning or controlling any cemetery or burial place within the State in which are interred the bodies of deceased service men shall file with the county commissioners of the county in which such cemetery is located a certificate on the record blanks provided by said county commissioners of the facts required for such record as far as the same are within the knowledge of such person firm association corporation or the agents thereof The county commissioners shall cause record blanks to be distributed to such persons firms associations and corporations as they deem advisable with the request that such information be transmitted to them Any such person firm association or corporation except municipal corporations upon receipt of such blanks or forms who shall refuse or neglect to fill out and transmit to the county commissioners such banks or forms within six months after receipt of same shall be subject to a fine upon conviction in summary proceedings of one hundred dollars

(c) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion [and] the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a director of veterans affairs who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

(d) It shall also be the duty of the director of veterans affairs to

(1) Assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the director of veterans affairs shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 444, as follows:

An Act to add section two hundred two to the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental

patients and imposing penalties" by providing for outpatient and psychiatric clinical services and establishing charges.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article two of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" is hereby amended by adding at the end thereof a new section to read as follows

Section 202 To promote prevention recognition and treatment of mental diseases mental defect epilepsy and inebriety the Department of Welfare of the Commonwealth of Pennsylvania is hereby empowered to estabish extend operate maintain and provide out-patient services in conjunction with mental institutions owned or operated by the Commonwealth and separate psychiatric clinical services and to fix and establish charges for such services

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 543, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 615, as follows:

An Act to repeal sections two seven and eight of the act approved the eighth day of March one thousand eight hundred and sixty (P. L. 130) entitled "An Act for the registration of births marriages and deaths in the City of Philadelphia"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two seven and eight of the act approved the eight day of March one thousand eight hundred sixty (P. L. 130) entitled "An Act for the registration of births marriages and deaths in the City of Philadelphia" be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,

Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 229, 333, 436, 508, 524 578 and 654.

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 5

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

Referred to the Committee on City and County—First Class.

SENATE BILL No. 654.

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

Referred to the Committee on City and County—First Class.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COSTA asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 4.

An Act authorizing the Armory Board of the State of Pennsylvania, with the approval of the Governor, to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor.

HOUSE BILL No. 108.

An Act to furthr amend subsection (b) of section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by authorizing the board to approve additional places of storage for malt or brewed beverages by certain licensees.

HOUSE BILL No. 186.

An Act to amend section one thousand one hundred thirty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto.

HOUSE BILL No. 304.

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

HOUSE BILL No. 357.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by empowering counties to set apart lands and buildings and to acquire real estate by lease purchase or gift for use as fairgrounds authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds including the appropriation of funds the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions

HOUSE BILL No. 379.

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip.

HOUSE BILL No. 623.

An Act to repeal the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 599), entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia, Commonwealth of Pennsylvania, to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world, which may be created by The United Nations, and ceding jurisdiction to the United States."

HOUSE BILL No. 667.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell the tracts of land with the improvements thereon, occupied by the former Pennsylvania Maritime Academy, in Bucks County, and providing for the disposition of the proceeds of such sale.

HOUSE BILL No. 738.

An Act to further amend section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire or any alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by exempting scheduled common carriers by air of mail and passengers from license requirement

HOUSE BILL No. 743.

An Act making an appropriation to the Local Government Commission to continue its work.

HOUSE BILL No. 1010.

An Act to further amend section nine of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by allowing credit for prior service in certain cases

HOUSE BILL No. 1040.

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewereage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

HOUSE BILL No. 1044.

An Act to amend the title of and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class and school districts within the terthonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 4.

An Act authorizing the Armory Board of the State of Pennsylvania with the approval of the Governor to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor.

HOUSE BILL No. 108.

An Act to further amend subsection (b) of section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by authorizing the board to approve additional places of storage for malt or brewed beverages by certain licensees

HOUSE BILL No. 186.

An Act to amend section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto.

HOUSE BILL No. 304

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

HOUSE BILL No. 357.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by empowering counties to set apart lands and buildings and to acquire real estate by lease purchase or gift for use as fairgrounds authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds including the appropriation of funds the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions

HOUSE BILL No. 379.

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip.

HOUSE BILL No. 623.

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States"

HOUSE BILL No. 667.

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell the tracts of land with the improvements thereon, occupied by the former Pennsylvania Maritime Academy, in Bucks County, and providing for the disposition of the proceeds of such sale.

HOUSE BILL No. 738.

An Act to further amend section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by exempting scheduled common carriers by air of mail and passengers from license requirement

HOUSE BILL No. 743.

An Act making an appropriation to the Local Government Commission to continue its work.

HOUSE BILL No. 1010.

An Act to further amend section nine of the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by allowing credit for prior service in certain cases.

HOUSE BILL No. 1040.

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut-off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

HOUSE BILL No. 1044.

An Act to amend the title of and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 14.

An Act to further amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the acquisition of additional grounds and the payments therefor.

SENATE BILL No. 179.

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employe to include officers and employes of the State Public School Building Authority the General State Authority and the State Highway and Bridge Authority.

SENATE BILL No. 456.

An Act to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof: requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 14.

An Act to further amend section one of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the acquisition of additional grounds and the payment therefor.

SENATE BILL No. 53.

An Act to amend Article V Section five hundred six Article VII Section seven hundred thirty-one Article IX Clause (h) of Section nine hundred forty-three and Article X Section ten hundred four of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the penalty for the unlawful killing of bears

SENATE BILL No. 179.

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employe to include officers and employes of the State Public School Building Authority the General State Authority and the State Highway and Bridge Authority.

SENATE BILL No. 338.

An Act authorizing the Department of Property and Supplies to convey a property in Somerset County Pennsylvania

SENATE BILL No. 456.

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or nonlicensed powered farm machinery for purposes relating to the actual production of farm products.

SENATE BILL No. 559.

An Act to further amend section one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the adoption and alteration of budgets

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 1041, 1045.

The SPEAKER. Without objection, these bills will lie upon the Speaker's table until tomorrow's session, because of the lateness of the hour. The chair hears none.

REPORTS FROM COMMITTEES

Mr. LOFTUS from the Committee on City and County—First Class, reported as committed, Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

Mr. SAX from the Committee on City and County—First Class, reported as committed, Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

CONGRATULATIONS

Messrs. O'DONNELL and McCORMACK offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 4, 1949.

Assemblyman Edward T. Gallagher, worn with the travail of recent parenthood, today wears a happy smile. He needs only five more boys to start the Gallagher baseball team on its way to victories.

At 10:55 on the evening of March 30th, at the Frankford Hospital, a slow-flying stork brought Mrs. Gallagher her fourth son. The mother and child are doing well. Less can be said for the father. He had made up his mind that he would now have a daughter. His convictions were very strong. He has reasons to regret them now.

Resolved, That the House of Representatives hereby welcome the latest newcomer to its already length roster of legislative babies, congratulates the proud parents and wishes the fourth of the Gallagher brothers great success and much joy on the long road of life that lies before him.

It is further directed that a copy of this resolution under the Seal of this House be presented to the Honorable and Mrs. Gallagher to be held in trust for, and delivered to Michael J. Gallagher on the day he shall cast his first ballot.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, Mr. O'Donnell has nothing whatever to do with it.

I want to thank the Members of the House in behalf of myself, my wife and young Michael and I can hardly wait for the day when the baseball team that I have in mind is completed.

I also want to say that I can hardly wait for another two years until the boys in our neighborhood say "Here come the Gallagher boys." I thank you very much gentlemen.

Mr. Speaker, in accordance with the usual custom of a good father, I would like to have the page boys pass out to you with my compliments a cigar or two, if they will, and before the Minority Leader interrogates me, I had the foresight to bring some pipe smoking tobacco with me.

The SPEAKER. The Chair would add his personal felicitations to the gentleman from Philadelphia, Mr. Gallagher.

RESOLUTIONS

Mr. WOOD offered a resolution which was filed with the Clerk.

Mr. FLEMING offered a resolution which was filed with the Clerk.

Mr. STUART offered a resolution which was filed with the Clerk.

Mr. WEISS offered a resolution which was filed with the Clerk.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Scanlon for Mr. HERSCH for the remainder of the week because of illness.

COMMITTEE MEETINGS

Judiciary, Room 149, Tuesday, April 5, at 10:00 a.m.
Townships, Room 522, Tuesday, April 5, at 10:30 a.m.
Welfare, Room 330, Tuesday, April 5, at 10:30 a.m.

ADJOURNMENT

Mr. GUARNIERI. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 5, 1949 at 11:00 a.m.

The motion was agreed to, and (at 7:03 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., TUESDAY, APRIL 5, 1949. No. 40.

SENATE

TUESDAY, April 5, 1949.

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. FATHER ROY C. KEFFER offered the following prayer:

We pray Thee O God of might, of wisdom and of justice, through Whom authority is rightfully administered, laws are enacted, and judgment decreed, assist with Thy Holy Spirit of counsel and fortitude this Senate, that its administration may be conducted in righteousness and be eminently useful to all of Thy people.

We also ask Thy very special blessing upon Senator Farrell whom we understand passes another milestone today. Amen.

JOURNAL APPROVED

The PRESIRENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. LORD, JR., further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 103

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 103, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organizations defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive uses of school property validating past actions and permitting appropriation by school districts to extra-curricular organizations of funds heretofore raised through the use of school property

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 261

He also returned to the Senate, Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reaorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistancts and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 350

He also returned to the Senate, Senate Bill No. 350, entitled:

An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the period for field trials.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 404

He also returned to the Senate, Senate Bill No. 404, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by including clerical personnel in the office of county superintendent of schools within definition of term "County Employe."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 439

He also returned to the Senate, Senate Bill No. 439, entitled:

An Act to further amend section ten of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 440

He also returned to the Senate, Senate Bill No. 440, entitled:

An Act to further amend sections one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled: "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 441

He also returned to the Senate, Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 444

He also returned to the Senate, Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defectives, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for out-patient and psychiatric clinical services, and establishing charges.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 615

He also returned to the Senate, Senate Bill No. 615, entitled:

An Act to repeal Sections, two, seven, and eight, of the Act approved the eighth day of March, one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births, marriages and deaths in the City of Philadelphia."

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 458, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 517, entitled:

An Act to further amend clause (3) of section thirteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by cancelling age requirement and changing length of service necessary to receive a pension.

Which was committed to the Committee on Local Government.

House Bill No. 518, entitled:

An Act to further amend subsection (a) of section three hundred four, sections three hundred eight point one, and three hundred nine, and to add section three hundred nine point two to the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by further regulating assessment of contributions by employers failing to file a report; further limiting the filing of liens; further regulating the collection of contributions, interest and penalties from employers; prescribing limitations upon enforcement of payments by employers of contributions, interest and penalties.

Which was committed to the Committee on Labor and Industry.

House Bill No. 652, entitled:

An Act to further amend section eleven of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by further regulating the use of dues and monies paid into the fund.

Which was committed to the Committee on Local Government.

House Bill No. 675, entitled:

An Act authorizing the Interstate Commission on the Delaware River Basin to make surveys and investigations to determine and report on the feasibility and advisability of the future construction of an integrated water project designed to meet the combined prospective water supply requirements of political subdivisions and metropolitan areas in the Commonwealth of Pennsylvania and the States of New York and New Jersey, within and outside of said Basin, empowering such Commission to enter upon lands, structures and waters, fixing the responsibility for damages resulting therefrom, and making an appropriation to such Commission.

Which was committed to the Committee on State Government.

House Bill No. 692, entitled:

An Act to amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions, for the use of the Commonwealth, and providing for the collection thereof," by exempting therefrom appropriations made to land grant colleges of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 782, entitled:

An Act to amend section six hundred ninety-nine point four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by permitting target shooting on Sundays.

Which was committed to the Committee on Law and Order.

House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

Which was committed to the Committee on Agriculture.

House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

Which was committed to the Committee on Local Government.

House Bill No. 1187, entitled:

An Act to further amend section one and to amend section five of the article three, and to add article twenty-six to, the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "First Class City Charter Law," by creating a Department of Licensing and Inspection; authorizing the transfer to the said department of such licensing and inspection functions as city council may determine and requiring certain officers to file surety bonds.

Which was committed to the Committee on Local Government.

House Bill No. 1194, entitled:

An Act regulating the appointment, promotion, suspension, reduction, removal, and reinstatement of employes (except superintendents, deputy superintendents and chief clerks) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes.

Which was committed to the Committee on Local Government.

House Bill No. 1254, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Edinboro State Teachers College, to acquire certain tracts of land adjacent to Edinboro State Teachers College, in Erie County, Pennsylvania, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

House Bill No. 1260, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings; to create Dwelling Inspection Boards in the Department of Public Health in such cities, to require tenancy permits to be issued; and to provide penalties for violations thereof.

Which was committed to the Committee on Local Government.

House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

Which was committed to the Committee on Local Government.

House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

Which was committed to the Committee on Local Government.

House Bill No. 1287, entitled:

An Act to repeal the act, approved the first day of May, one thousand nine hundred thirteen (P. L. 131), entitled "An act to prohibit the killing of foxes by certain methods in Delaware County, and fixing a penalty for violation of the act," so far as the same relates to Delaware County.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1307, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1308, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1309, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 4, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania, with the approval of the Governor, to acquire a certain tract of land for use of the Armory Board of the State of Pennsylvania and making an appropriation therefor.

Senate Bill No. 103, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organizations defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive uses of school property validating past actions and permitting appropriation by school districts to extra-curricular organizations of funds heretofore raised through the use of school property.

House Bill No. 108, entitled:

An Act to further amend subsection (b) of section twelve of the act, approved the third day of May, one thousand nine-hundred thirty-three (P. L. 252), entitled, as amended, "Beverage License Law," by authoriizng the board to approve additional places of storage for certain licensees.

House Bill No. 186, entitled:

An Act to amend section one thousand one hundred thirty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "The Second Class Township Law," by removing restrictions as to length regarding improvement of streets or roads and petitions relating thereto.

Senate Bill No. 261, entitled:

An Act to add section two thousand three hundred fifteen point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds.

House Bill No. 304, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

Senate Bill No. 350, entitled:

An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the period for field trials.

House Bill No. 357, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by empowering counties to set apart lands and buildings and to acquire real estate by lease, purchase or gift, for use as fairgrounds; authorizing county commissioners of such counties to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds, including the appropriation of funds, the levy and collection of taxes and the creation of county fair boards and the acceptance of State contributions.

House Bill No. 379, entitled:

An Act making a deficiency appropriation to the House of Representatives for the use of the minority whip.

Senate Bill No. 404, entitled:

An Act to further amend section three hundred eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by including clerical personnel in the office of county superintendent of schools within definition of term "County Employes."

Senate Bill No. 439, entitled:

An Act to further amend section ten of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Senate Bill No 440, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled: "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

Senate Bill No. 441, entitled:

An Act to further amend section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

Senate Bill No. 444, entitled:

An Act to add section two hundred two to the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for out-patient and psychiatric clinical services, and establishing charges.

Senate Bill No. 615, entitled:

An Act to repeal Sections two, seven, and eight, of the act approved the eighth day of March, one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births, marriages and deaths in the City of Philadelphia."

House Bill No. 623, entitled:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 599) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City of Philadelphia Commonwealth of Pennsylvania to be used as the site of the headquarters or capitol of any organization to preserve the peace of the world which may be created by The United Nations and ceding jurisdiction to the United States."

House Bill No. 667, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell the tracts of land with the improvements thereon occupied by the former Pennsylvania Maritime Academy in Bucks County and providing for the disposition of the proceeds of such sale.

House Bill No. 738, entitled:

An Act to further amend section five of the act, approved the nineteenth day of February, one thousand nine hundred twenty-six (P. L. 16), entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the Courts; also authorizing the inspection of the record of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by exempting scheduled common carriers by air of mail and passengers from licenses requirement.

House Bill No. 743, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

House Bill No. 1010, entitled:

An Act to further amend section nine of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by allowing credit for prior service in certain cases

House Bill No. 1040, entitled:

An Act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut-off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

House Bill No. 1044, entitled:

An Act to amend the title of and the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 629), entitled "An act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class, prescribing duties and fees of prothonotaries; establishing the office of solicitor for delinquent tax and water rate liens, defining the powers and duties of said office; providing for enforced collection of said taxes and water rates; imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class" by extending the powers and duties of the solicitor and of the office of the solicitor to include the filing and revival of liens for delinquent sewer rates and for all other municipal claims and charges.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

RESOLUTION

FELICITATING THE HONORABLE LOUIS H. FARRELL ON HIS BIRTHDAY

Mr. KEPHART. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KEPHART and WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 5, 1949.

Whereas, The flower of the month of April is Sweet Pea for love, he is a loving man, and

Whereas, The birthstone for the month of April is the diamond for innocence, he is an innocent man, and

Whereas, Persons born in April are under the zodiac sign of Aries, which governs the head, he is a man with a head, and

Whereas, April is the month of many significant dates and the birthdates of many important men, none more significant nor important than April 5, 1877 when there was born on a farm at Bustleton, Pennsylvania our esteemed and venerable friend and colleague "Uncle Lou", therefore be it

Resolved, That the members of the Senate offer their congratulations and best wishes to their loving, innocent friend and colleague, a true son of Aries, the Honorable Louis H. Farrell on this the occasion of his seventy-second birthday.

SENIOR CLASS OF WILSON HIGH SCHOOL AND POLITICAL SCIENCE CLASS OF SENIOR HIGH SCHOOL OF READING PRESENTED TO SENATE

Mr. RUTH. Mr. President and Members of the Senate, I have the pleasure to present to you the boys and girls from the Wilson High School Senior Class of Berks County, with their teachers, Mr. Lloyd Miller, Mr. Clayton Rehrer and Mill Helen Rhodes.

At the same time, I wish to present the Political Science Class of the Senior High School of the City of Reading, under the leadership of Norman Brillhart.

The PRESIDENT. On behalf of the Senate, the President welcomes the Members of the Political Science group of the High School from Reading and also the members of the Senior Class of the Wilson High School in Berks County. We hope you enjoy your visit here with us.

PERMISSION TO ADDRESS THE SENATE

Mr. STIEFEL. Mr. President and Members of the Senate, I am fully aware of the fact that today we are pressed for time, and for that reason I am not going to deliver a dissertation, but I want to pre-empt the right to speak tomorrow about a catalogue on historical buildings, sites and remains in Pennsylvania, which catalogue has been placed on the desks of the Senators.

Mr. President, this catalogue represents one of the finest contributions of the Joint State Government Commission, and is the fruitful work of a sub-committee. Now, Mr. President, tomorrow I will speak in more detail about it, but in the meantime I would appreciate if my colleagues would peruse and examine this fine piece of work.

POLITICAL SCIENCE STUDENTS FROM VARIOUS COLLEGES PRESENTED TO SENATE

Mr. LETZLER. Mr. President, we have in the gallery a group of students in political science from several colleges, among them a fine group from Pennsylvania State College, whom I am very happy to present this afternoon. The group includes, some from the University of Pennsylvania, some from the University of Bucknell, some from Lycoming, Lock Haven and Haverford, under the sponsorship of the Committee on Education of the Pennsylvania Republican Council of Women, who brought them here this afternoon, and I am very happy to present this group to the Senate.

The PRESIDENT. The Chair is very anxious to welcome the members of groups from the various colleges, and we trust you may learn something to increase your knowledge of political science.

REPORT FROM JOINT STATE GOVERNMENT COMMISSION

Mr. BLASS. Mr. President, on behalf of the Joint State Government Commission, I have the honor to transmit herewith, A Report of the Joint State Government Commission, March, 1949, dealing with "Historical Buildings, Sites and Remains in Pennsylvania."

The PRESIDENT. The communication will be noted in the Journal and the report will be printed in full in the Appendix.

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
OF THE GENERAL ASSEMBLY
HARRISBURG

April 5, 1949.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith, A Report of the Joint State Government Commission, March 1949, dealing with "Historical Buildings, Sites and Remains in Pennsylvania."

Copies of this report for distribution to the members of the Senate have been delivered to the office of the President pro tempore of the Senate.

Respectfully submitted,

WELDON B. HEYBURN, Chairman

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed, House Bill No. 790, entitled:

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments

Mr. HOMSHER, from the Committee on Local Government, reported as committed, Senate Bill No. 691, entitled:

An Act to amend section seventeen point three of the act, aproved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending the retirement privileges of certain county officers.

Mr. DOEHLA, from the Committee on Local Government, reported as committed, Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

Mr. McPHERSON, JR., from the Committee on Insurance, reported as committed, Senate Bill No. 636, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examinataion and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance of agents' licenses.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid on the table:

ASSOCIATE JUDGE COUNTY OF PIKE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gaylord N. Carpenter, Bushkill, Pike County, for appointment as Association Judge in and for the County of Pike, until the first Monday of January, 1950, vice Amos Gregory, deceased.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on Highways, reported as committed House Bill No. 1257, entitled:

An Act to repeal certain provisions of, and to add a new article eight to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consoldiating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by eliminating provisions for the acquisitions of privately owned toll bridges jointly with counties, and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission; and authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

He also from the Committee on Highways, reported as committed, House Bill No. 1258, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and of-

ficers threof, including the board of trustees of State Normal Schools, or Teacher Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," abolishing the State Bridge Commission and its functions.

Mr. TAYLOR, from the Committee on Highways, reported as committed, House Bill No. 43, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the state treasury to be known as the toll bridge fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

He also from the Committee on Highways, reported as committed, House Bil No. 45, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State authority or agency for the acquisition of such toll bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

Mr. WAGNER, from the Committee on Insurance, reported as amended, House Bill No. 461, entitled:

An Act to add subdivision (F) to section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life subject to certain conditions

Mr. BERGER, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 160, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without psychosis.

Mr. DENT, from the Committee on Highways, reported as amended, Senate Bil No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns.

Mr. LEADER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 814, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

He also from the Committee on Public Health and Welfare, reported as committed, House Bill No. 672, entitled:

An Act to further amend sections two, four, five and six of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by bringing additional types of buildings under the provisions of the act; further revising the classification of buildings covered by this act; further regulating ways of egress; providing for fire proofing or the closing of vertical openings in buildings; regulating the installation of equipment for the display or sale of merchandise; prescribing the level on which gymnasiums used for public assembly may be placed; prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts.

Mr. KEPHART, from the Committee on Highways, reported as amended, House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act appproved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles

pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

Mr. TOOLE, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 815, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting earnings or other income to supplement public assistance in certain cases.

He also from the Committee on Public Health and Welfare, reported as committed, House Bill No. 190, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" by making the provisions thereof mandatory under all circumstances.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 673, entitled:

An Act to further amend section one and clause (a) of section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by changing the times for the return of delinquent taxes on real estate, for tax sales, and when interest shall begin to run.

Mr. TARR, from the Committee on Local Government, reported as committed, Senate Bill No. 214, entitled:

An Act to amend the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," as heretofore amended and reenacted, by providing for creation and abolition of wards, for the detachment of territory, the election of councilmen, for the election of a banking institution as borough treasurer, for change in the fiscal year and for budgets, tax levies and audits necessitated thereby, for the acquisition and lease of lands and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes, for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance, for the adoption of a plumbing code; empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities; authorizing the use of general fund moneys for pension purposes; regulating contracts and sewer rentals; and clarifying and revising certain provisions of said act.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 670, entitled:

An Act to amend sections six hundred one, six hundred four, seven hundred one as amended, seven hundred two and seven hundred three, of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by specifying dates with respect to the preparation and submission of assessment rolls, the inspection of such rolls, notices to taxpayers, appeals from assessments and hearings thereon, the certification of assessed valuations and the delivery of assessments to taxing districts.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 672, entitled:

An Act to amend section six, as amended, and section ten, clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing for notices to taxables, for discounts and penalties, for collection of taxes by suit, and for the settlement of tax duplicates; abolishing payment of taxes in installments; and regulating the collection, discounties, penalties, the settlement of duplicates and return and liening of unpaid taxes on real property for the temporary fiscal period from the first Monday of January, one thousand nine hundred fifty and ending June thirtieth, one thousand nine hundred fifty.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 674, entitled:

An Act to amend sections four hundred one, four hundred forty-one, five hundred seven, five hundred fifteen and five hundred sixteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by changing dates for the issuing of precepts to assessors, for returns by assessors where optional assessment are made, for the completion of transcripts of assessments, and for the furnishing of duplicates.

He also from the Committee on Local Government, reported as committed, Senate Bil No. 676, entitled:

An Act to amend sections three hundred forty-five, three hundred forty-six, three hundred sixty-three, three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth clases; and revising, amending and consolidating the laws relating thereto," by changing fiscal years of counties; providing for a temporary fiscal period to effectuate such change; and regulating budgets, audits and financial reports.

He also from the Committee on Local Government, reported as amended, Senate Bill No. 675, entitled:

An Act to amend sections 1704 1705 1801 sections 1809 and 1811 as amended 2511 2515 2520 sections 2551 and 2557 as amended and 2576 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the fiscal year of cities of the third class providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities.

Mr. HOLLAND, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 794, entitled:

An Act to further amend section seven of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof", by exempting from ncessity of net quantity being marked thereon packages of bakery products.

Mr. ROSENFELD, from the Committee on Local Government, reported as amended, Senate Bill No. 751, entitled:

An Act authorizing officers of counties of the first and second classes and of cities of the first and second classes, in certain cases, to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

He also from the Committee on Local Government, reported as amended, Senate Bill No. 752, entitled:

An Act authorizing the recording, copying and recopying of documents, plats, papers, written instruments, records and books on file or of record, and the replacement and certification of originals previously filed and of record, by officers of counties of the first and second classes and of cities of the first and second classes, by photostatic, photographic, microphotographic, microfilm or other mechanical process; relating to the effect and use of such copies, records, reproductions, replacements and transcripts or certified copies thereof; and providing for revision of, and entries to be made on, originals and copies so produced or replaced.

Mr. DENT, on behalf of Mr. BARR, from the Committee on Local Government. reported as committed, Senate Bill No. 800, entitled:

An Act to amend section four thousand four hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appointments to fill vacancies from certified lists.

BILLS INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 848, entitled:

An Act relating to the practice of psychology; defining and providing for the licensing and registration of psychologists and psychological technicians, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Instruction; and prescribing penalties.

Which was committed to the Committe on Education.

Messrs. LLOYD H. WOOD and RUTH read in place and presented to the Chair Senate Bill No. 849, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to making the United Nations a law-making body with power to make and enforce laws against war.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. LLOYD H. WOOD read in his place and presented to the Chair, Senate Bill No. 850, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

Which was committed to the Committee on Judiciary General.

Mr. DIEHM read in his place and presented to the Chair, Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

Which was committed to the Committee on Local Government.

Mr. GELTZ read in his place and presented to the Chair, Senate Bill No. 852, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring all bonds issued by Authorities for the acquisition of real property to be of uniform priority lien and standing and prohibiting the delegation of managerial powers except to political subdivisions.

Which was committed to the Committee on Local Government.

RESOLUTION

COMMITTEE BE APPOINTED TO EXAMINE FACTS INVOLVED IN CONFORMING THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA AS THEY RELATE TO ASSISTANCE TO THE BLIND WITH THE FEDERAL PROGRAM

Messrs. MAHANY, DENT and T. NEWELL WOOD offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 5, 1949.

Whereas, The Commonwealth of Pennsylvania has enacted certain laws regulating pensions to the blind of the State of Pennsylvania; and

Whereas, The aforesaid laws do not conform to the Federal laws governing aid to the blind; and

Whereas, Due to this non-conformity with the Federal laws, the Federal Government refuses to allow the Commonwealth of Pennsylvania to participate in the Federal allotment of funds for aid to the blind; and

Whereas, The Commonwealth of Pennsylvania is one of only three states which do not participate in the Federal program for aid to the blind; and

Whereas, The citizens of the Commonwealth of Pennsylvania are losing $9,000,000 a biennium because the State does not participate in the Federal Blind Program; and

Whereas, Expenditures from Commonwealth tax funds would be reduced by approximately the aforesaid amount of $9,000,000 if the State of Pennsylvania would participate in this Federal program; therefore, be it

Resolved, That the President pro tempore of the Senate appoint a committee of five Senators to examine the facts, circumstances, advantages and disadvantages involved in conforming the laws of the Commonwealth of Pennsylvania as they relate to assistance to the blind with the Federal program for assistance to the blind; and be it further

Resolved, That the State Senate committee make a report to the Senate of its findings and recommendations at the earliest possible time.

COMMITTEE APPOINTED

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAHANY, T. NEWELL WOOD, HARE, DENT and HOLLAND, as a committee to examine the facts, circumstances, advantages and disadvantages involved in conforming the laws of the Commonwealth of Pennsylvania as they relate to assistance to the blind with the Federal program for assistance to the blind.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid on the table:

MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Kelly, President, Philadelphia Chamber of Commerce, Philadelphia, Philadelphia County, for appointment as a Member of the Advisory Hospital Council, to serve until November 18, 1950, and until his successor is appointed and qualified, vice Dr. Thomas S. Gates, Philadelphia, deceased.

JAMES H. DUFF.

EXECUTIVE NOMINATIONS

UNANIMOUS CONSENT UNDER RULE 38

A motion was made by Mr. LORD, JR., and Mr. TAYLOR,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

The Clerk read the nominations as follows:

ASSOCIATE JUDGE, COUNTY OF PIKE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gaylord N. Carpenter, Bushkill, Pike County, for appointment as Associate Judge in and for the County of Pike, until the first Monday of January, 1950, vice Amos Gregory, deceased.

JAMES H. DUFF.

MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Kelly, President, Philadelphia Chamber of Commerce, Philadelphia, Philadelphia County, for appointment as a

Member of the Advisory Hospital Council, to serve until November 18, 1950, and until his successor is appointed and qualified, vice Dr. Thomas S. Gates, Philadelphia, deceased.

JAMES H. DUFF.

Whereupon,

A motion was made by Mr. LORD, JR., and Mr. TAYLOR,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

PERSONAL PRIVILEGE

Mr. ROSENFELD. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadlephia will state his question of personal privilege.

Mr. ROSENFELD. Mr. President, On this late date in our civilization and in the forward looking practice of Democracy I was today twice shocked into the realization that as a Body we are retrogressing, instead of progressing with the times.

I make particular reference to secret votes taken on two important measures in two different committees this day.

From the time I was old enough to appreciate the advantages of a democarcy over all other forms of government each day made me not only more proud to be an American, but in later years, upon my election to the Senate, I simply glowed with pleasure at the opportunity to serve the public within the beautiful framework provided for us.

I must confess that this day my faith has been severly shaken. Behind the cloak of secrecy in Committee we have proven beyond doubt that we give only lip service to what we preach.

I do not question the sincerity of any member of this Body and I will fight for the right of every one to vote his conscience whether I believe it to be right or wrong. But I think any of us who insist upon secret vote are moral and political cowards and have no right to participate in Democratic process.

Mr. President, if the time ever comes when I cannot conscientiously stand up and be counted for or against any measure, whether it be action in Committee or on the floor of this House, I shall know that I have outlived my usefulness to serve the public or to live with my own conscience, and it will then be time for me to quit.

God forbid that I should ever reach that point in my thinking and I promise here and now to dedicate myself from this day forward to amend our Senate rules so that secret voting will hereafter be prohibited.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I would like to have the record note that in my opinion Tuesday, April 5, 1949, will be marked in the Pennsylvania Senate as the day of infamy.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, as one who was also twice defeated today in Committee meetings, I think I have the right to speak freely on a matter of deep concern to the Senate.

Mr. President, they tell me that in the past, here in this Legislative Body, discussions in Committee meetings and the records of votes in Committee meetings were discussions in confidence among gentlemen, and were maintained in strictest confidence; that there and there only could you have freedom of expression and honesty of mental reaction and a crystalization of public opinion, because the men involved in such committee meeting knew that they were surrounded by a tacit agreement with their colleagues that they would keep matters in Committee in confidence.

Mr. President, since the time I have become a Member of this Senate, matters that happened in the Republican Caucus, matters that happened in the Democratic Caucus matters that happened in committee sessions, regardless of the pledge of secrecy, have become matters of common knowledge before the Committee or the Caucus had reached the Senate floor. We no longer find Members of Committees freely discussing or giving their advice on legislation, because no matter what they say in strict confidence becomes front page news, because some Members of the Committee or some Members of the Caucus or some Members of this Body have not learned as yet that a confidential matter is confidential. I find no fault with a Committee of this Senate the members of which are desirous of expressing the will of that Committee by an open ballot or by a written ballot. No member of this Senate is barred at any time from stating publicly how he voted on any measure in Committee or on the floor of this Senate, but certainly his colleagues are entitled to the determination of confidence that has been a settled matter in this Legislative Body for several generations.

Mr. President, I have no doubt, and I appreciate the

sincerity of the gentleman from Philadelphia, that he is perfectly willing to stand up and be counted at all times on any measure which his judgment is called upon to be exercised. I, too, join with him in that view. I am perfectly willing to stand up and be counted at any time, but I insist that my colleagues shall not be spoken for by any of the other forty-nine gentlemen of this Senate. They are entitled to express their opinion in their own way at the proper time that they deem necessary, and they have as much right to have a reservation on their vote as I have to have mine expressed freely and willingly.

Mr. President, I do not think that this is a day of infamy, this is a day for a couple of tough losses for some of us. The losses were not confined to either of the major political parties, party lines were crossed in both instances. We had the opportunity of doing the things that must be done and we lost. I do not think that we have lost the war, we have just lost the battle, and I am perfectly willing to pick it up from there, but I insist that at all times the Members of these committees have the right to have a secret ballot, if that is the opinion of the committee, because in that way crystalization of opinion and the free exchange of thought will be unhampered by this whispering that goes on at all times.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, just to keep the record straight, I received this morning a letter from the Westmont Church of the Brethren, of Johnstown, Pennsylvania, signed by The Reverend David H. Markie, Pastor, stating that his congregation deeply regrets the fact that I voted "no" in committee on Senate Bill No. 63.

Now, Mr. President, I am not on that committee. How this information got in the papers, I do not know. It seems to me it is very unfair, first of all, to attack a man on how he voted in committee, and secondly, when that man is not a member of that committee.

I wish to make that a matter of record, Mr. President.

PERSONAL PRIVILEGE

Mr. BARR. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. BARR. Mr. President, our Government in Washington has existed for quite a long time, and I do not agree with everything that is done in Washington, but never in the history of our National Government, and I have checked this since these meetings today, has there ever been a secret ballot taken in any committee in our National Government, and it should not be instituted here.

PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman will state his question of personal privilege.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Allegheny, Senator Barr, that I personally do not know but I am assuming that he is in possession of the information as to whether or not they take secret ballots in the committees in our Federal legislative halls in Washington, but it has been my observation that the gentlemen in Congress, even though they outnumber us numerically, at least there is no leaks out of their committee meetings as to the discussions that took place or how the gentlemen desired to be recorded.

PERSONAL PRIVILEGE

Mr. BARR. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. BARR. Mr. President, for the information of the gentleman from Allegheny, that is always public information, and I refer his mind back to just several weeks ago, on the Taft-Hartley Bill, when it came out on a strictly party vote, and each name was placed in the public print.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," further defining "club."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding im-

portation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further defining "Club."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 54, on third reading, entitled:

An Act to further amend sections four hundred twenty-two, four hundred twenty-three and four hundred twenty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 56, on third reading, entitled:

An Act to further amend sections two and three, and to amend section four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 69, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 222) is hereby further amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employe" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies or volunteer fire departments of the various cities boroughs incorporated towns and towns who shall be and are hereby declared to be "employes" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while performing any other duties of such companies or fire department authorized by such cities boroughs incorporated towns and townships

The city borough incorporated town or township as employer shall in all cases be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments including self employment and shall be liable for compensation on account of all wages and earnings resulting therefrom In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department who is in whole or in part a self employer and loss of earnings results therefrom such earnings shall for the purposes of this act be regarded as wages The average weekly wage as so regarded shall be that most favorable to the employe computed by dividing by thirteen the total earnings of the employe in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident

And said bill having been read read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 258, as follows:

An Act to amend Article twelve sections twelve hundred two twelve hundred three and twelve hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1202 Procedure All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation

Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the commission pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of this Commonwealth and cause such person to be brought before him

When any person is arrested without warrant the officer making the arrest shall immediately except on Sunday take such person before a magistrate alderman or justice of the peace and make complaint by affidavit

The magistrate alderman or justice of the peace or the Court of Quarter Sessions in case of appeal shall in all cases hear the evidence and determine the guilt or innocence of the person accused If such person is convicted of the offense charged and if the magistrate alderman or justice of the peace or the court on appeal shall also find that any bird or animal or part thereof or of any firearms trap dog boat conveyance vehicle or its attachments or any device implement or appliance the use of which is expressly forbidden by this act and found in possession of the defendant is unlawfully possessed and liable to forfeiture to the Commonwealth the defendant shall be sentenced to forfeit the Commonwealth such bird or animal or part thereof or such of the beforementioned unlawful articles and equipment as shall have been found to be unlawfully used or unlawfully in his possession and also to pay the full fine prescribed by this act for such violation together with costs of prosecution and in default of the payment of such fine and costs shall be sentenced to imprisonment one day for each dollar of fine and costs so imposed and shall also be sentenced to forfeit to the Comonwealth such property implements devices or any bird or animal for the use of or disposal by the commission

Section 2 Section twelve hundred three of said act is hereby amended to read as follows

Section 1203 Acknowledgment of Guilt Any person charged with violating any provisions of this act other than those designated as a misdemeanor or a felony may sign an acknowledgment of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector or deputy game protector the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any bird or animal or part thereof or any article implement device or equipment the use of which is expressly forbidden by this act unlfawfully taken or possessed Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the commission and the signature of its executive director which shall be evidence of full satisfaction of the offense committed except as otherwise provided in this act

Section 3 Section twelve hundred ten of said act is hereby amended to read as follows

Section 1210 Review of Proceedings [by Court of Quarter Sessions] by the courts Any person convicted of violating any of the provisions of this act may enter into good and sufficient recognizance to pay the fine imposed and costs within a period of ten days after the date of his conviction or may cetiorari the proceedings to the court of common pleas within five days following conviction or may appeal the proceedings within five days after such conviction to the court of quarter sessions of the county in which convicted Any prosecutor dissatisfied with the finding of any magistrate alderman or justice of the peace may in like manner appeal to said court within said period All such appeals shall be only on allowance of the court of quarter sessions or a judge thereof on cause shown hearings thereon shall be de novo and shall be determined by the court of quarter sessions without a jury

And said bill having been read read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 325, as follows:

An Act to amend section eight hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing

certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating corporations who are then present in person or by proxy and entitled to vote thereon at a regular or special meeting of each corporation convened after at least ten day's written notice to all the members of this purpose If the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan who are present in person or by proxy at such meeting shall be necessary for the adoption thereof The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation

And said bill having been read read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby empowered and its duty shall be to conduct a study and survey in the city of Wilkes-Barre and in the borough of Kingston both situate in Luzerne County and in the vicinity of such municipalities including an existing bridge known as the "North Street Bridge" to determine the advisability of constructing as part of the State highway system an additional bridge crossing the Susquehanna River between such municipalities In such study and survey due regard shall be had to the necessity and importance of such a bridge from a traffic viewpoint as well as to the consideration of cost and feasibility of the bridge at such location

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 450, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the pro-

visions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by making further provisions relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of osteopathic services by doctors of osteopathy to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such osteopathic services by doctors of osteopathy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and subsections (a) and (b) of section two hundred nineteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 356) are hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical and osteopathic service plan whereby medical or osteopathic services may be provided through any doctor of medicine or any doctor of osteopathy to subscribers of low income and over-income and their dependents

Section 219 Special Procedure for Incorporation of Nonprofit Medical and Osteopathic Service Corporations

* * * * *

(a) Nine or more natural persons of full age and of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States provided however that a majority of said persons are doctors of medicine may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit medical and osteopathic service plan whereby medical or osteopathic services may be provided to persons of low income and persons of over-income and their dependents who shall be determined as follows

Persons of low income shall be

1 In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

2 In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

3 In the case of person with more than one dependent

Any person in receipt of an income that together with the income of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income shall be

1 All persons not persons of low income shall be persons of over-income

(b) For the purposes of this act only and not for the purposes of defining medical practice or osteopathic practice as such the terms stated below have the meanings assigned to them respectively [unless the context otherwise requires]

"Medical services" means the general and usual services rendered and care administered by doctors of medicine as defined in the medical practice act "Osteopathic Services" means the general and usual services administered by doctors of osteopathy as defined in the osteopathic practice act

"Persons with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person related to or living with him

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical and osteopathic services corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical and osteopathic service corporation plan

"Department of Health" means the Department of Health of the Commonwealth

Section 2 Sections three hundred seventeen five hundred ten and one thousand five of said act as added by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1121) are hereby amended to read as follows

Section 317 Requirements of nonprofit medical and osteopathic service corporations no nonprofit medical and osteopathic service corporation shall be incorporated under this act unless it has set up a minimum reserve of twenty-five thousand dollars for the exclusive purpose of meeting the contractual obligations to its subscribers provided however that all or any part of said twenty-five thousand dollars may be in the form of borrowed money to be repaid in whole or in part from surplus only when authorized by two-thirds of the duly constituted members of the board of directors of such corporation and approved by the insurance commissioner of the Commonwealth

Section 510 Board of Directors of nonprofit medical and osteopathic service corporations the business of every nonprofit medical and osteopathic service corporation shall be managed by at least nine natural persons of full age and of either sex all of whom shall be residents of the Commonwealth and citizens of the United States pro-

vided however that a majority of said persons at all times by doctors of medicine

Section 1005 Dissolution no nonprofit medical and osteopathic service corporation subject to the provisions of this act and its amendments shall be dissolved in the manner provided by law except with the prior approval of the insurance department no court of common pleas shall enter a decree dissolving such a corporation unless and until a certificate of approval by the insurance department is filed with such court and dissolution or liquidation of a corporation subject to the provisions of this act shall be under the supervision of the insurance commissioner who shall have all powers with respect thereto granted to him under existing laws governing the dissolution or liquidation of insurance companies

Section 3 The provisions of this act authorizing nonprofit medical and osteopathic service corporations to provide medical services by doctors of medicine or osteopathic services by doctors of osteopathy to subscribers of low income and their dependents and to subscribers of over-income and other dependents shall be applicable to any nonprofit medical service corporation heretofore incorporated under the provisions of the nonprofit corporation law of one thousand nine hundred thirty-three (P. L. 289) and its amendments and the articles of incorporaof any such corporation heretofore formed are hereby amended by the provisions of this act so as to authorize any such corporation to furnish osteopathic services by doctors of osteopathy

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 451, as follows:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the state and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the department of Health and on the insurance commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" sections three four nine and nineteen of which were amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 360) are hereby reenacted and amended to read as follows

An Act

Providing for the regulation and supervision of nonprofit medical and osteopathic service corporations organized to provide medical or osteopathic services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the state and its political subdivisions to subscribe under certain circumstances to the medical and osteopathic service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine and doctors of osteopathy to register with such corporations conferring authority on the Department of Health and on the insurance commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring

certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical and osteopathic service corporation from providing medical or osteopathic services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act

Section 1 Short title this act shall be known and may be cited as the "nonprofit medical and osteopathic service corporation act"

Section 2 Declaration of necessity it is hereby declared that adequate medical and osteopathic services are essential for the maintenance of the physical and mental health of the residents of the Commonwealth and that it is necessary that provision be made for adequate medical and osteopathic services to persons of low income who are unable to provide such services for themselves or their dependents without depriving themselves or their dependents of such necessaries of life as food clothing and shelter [while maintaining the standing and promoting the progress of the science and art of medicine in this state]

Section 3 definitions for the purposes of this act only and not for the purposes of defining medical practice or osteopathic practice as such the terms stated below have the meanings assigned to them respectively [unless the context otherwise requires]

"Medical services" means the general and usual services rendered and the care administered by doctors of medicine as defined in the medical practice act

"Osteopathic services" means the general and usual services administered by doctors of osteopathy as defined in the osteopathic practice act

"Nonprofit medical and osteopathic service corporation" means a corporation organized and operated under the provisions of the "nonprofit corporation law" approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) and its amendments

"Income" means net income from gains profits and net income derived from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit or gains or profits and income derived from any source whatever and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form and

"Low income" means income as set forth in section nine hereof

"Over-income" means income as set forth in section nine hereof

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical and osteopathic service corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical and osteopathic service corporation plan

["Medical services" means the general and usual services rendered and care administered by doctors of medicine]

"Department of Health" means Department of Health of the Commonwealth

"Court" means the court of common pleas of the county where the principal office of the nonprofit medical and osteopathic corporation is or is to be located

"Person with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

Section 4 Unauthorized nonprofit medical or osteopathic service for prepayment periodical or lump sum payments forbidden It shall be unlawful for any person copartnership association common law trust or corporation except when especially organized and authorized under the provisions of the nonprofit corporation law and its amendments for the purpose to establish maintain or operate a nonprofit medical and osteopathic service plan whereby medical or osteopathic services may be provided to persons of low income and over-income as herein defined for prepayment periodical or lump sum payments but this shall not be construed as preventing a person copartnership association common law trust or corporation from furnishing medical or osteopathic services for the prevention of disease among its or his employes or from furnishing such medical or osteopathic services as is required under the Workmen's Compensation Act and related legislation when the employe is not charged for such service nor shall any provision in this act be construed to apply to beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government Nor shall this act limit or repeal any provision of the nonprofit hospital acts of one thousand nine hundred thirty-seven (P. L. 1948) and one thousand nine hundred thirty-seven (P. L. 1980)

Section 5 Regulation and supervision A nonprofit medical and osteopathic service corporation shall be subject to regulation and supervision by the Department of Health and the Insurance Department as provided for by this act it shall not be subject to the laws of this state now in force relating to insurance and corporations engaged in the business of insurance nor to any law hereafter enacted relating to insurance and corporations engaged in the business of insurance unless such law specifically and in exact terms applies to such nonprofit medical and osteopathic service corporations

Section 6 Reserves to be maintained A nonprofit medical and osteopathic service corporation shall at all times while engaged in business maintain reserves in such form and amount as the insurance commissioner may determine to insure its subscribers against loss through the failure of the corporation to furnish the services agreed to in its contracts

Section 7 Scope of service (a) A nonprofit medical and osteopathic service corporation shall be its articles or incorporation and with the approval of the Department of Health the Insurance Department and the approval of the court define the limits of the area in which it will operate and the court shall be guided solely by public necessity and public interest and welfare in approving or disapproving the articles of incorporation

(b) A nonprofit medical and osteopathic service corporation may by its articles of information or by its by-laws limit the medical or osteopathic services that will provide for its subscribers and may divide such medical or osteopathic services as it elects to provide into classes or kinds and it may enter into contracts with its subscribers or groups of subscribers to secure medical or osteopathic services of any kind or class so named and delimited

(c) A nonprofit medical and osteopathic service corporation shall not provide medical or osteopathic services for its subscribers otherwise than through doctors of Medicine or doctors of osteopathy

(d) A nonprofit medical and osteopathic service corporation shall provide medical or osteopathic services only to persons domiciled within the state but if a subscriber regularly domiciled within the state and entitled to medical or osteopathic services or any of his dependents so entitled necessarily employs medical or osteopathic services within the meaning of this act while absent from the state of medical and osteopathic service corporation to which he is a subscriber may in its discretion and if satisfied as to the necessity for such services and satisfied that it was such as the subscriber would have been entitled to under similar circumstances in this state pay to the physicians who rendered the services such fees and charges as would have been payable if the services had been rendered in this state provided however that a nonprofit medical and osteopathic service cor-

poration organized under the laws of this state and operating near its boundaries may with the consent of the proper officers of and as authorized by the law of the adjacent state provide medical or osteopathic services therein but all operations of any such corporation whether within or without this state shall remain at all times subject to the provisions of this act

(e) All medical or osteopathic services provided by or on behalf of a nonprofit medical and osteopathic service corporation shall be in accordance with the best medical or osteopathic practice in the community at the time but the corporation providing such services shall not be liable for injuries resulting from negligence misfeasance malfeasance nonfeasance or malpractice on the part of any officer or employe or on the part of any doctor of medicine or doctor or osteopathy in the course of rendering medical or osteopathic services to subscribers and the corporation may so provide in its contracts with subscribers

Section 8 Rights of doctors of medicine doctors of osteopathy etc (a) Every doctor of medicine or doctor of osteopathy practicing within the area covered by any nonprofit medical and osteopathic service corporation shall have the right on complying with such regulations as the corporation may make with the approval of the department of health to register with such corporation for general or special medical or osteopathic services as the case may be within that area but the corporation may with the approval of the Department of Health refuse to place the name of any doctor of medicine or doctor of osteopathy on its register any nonprofit medical and osteopathic service corporation may with the approval of the Department of Health remove from its register the name of any doctor of medicine or doctor of osteopathy after due notice and hearing for cause satisfactory to the corporation

(b) A nonprofit medical and osteopathic service corporation shall impose no restrictions on the doctors of medicine or doctors of osteopathy who administer to its subscribers as to methods of diagnosis or treatment the relation between a subscriber or any of his dependents and the doctor of medicine or doctor of osteopathy shall be identical with the relation that ordinarily exists in the community between a physician and his patient no person shall be permitted to interfere with a patient's choice or selection of his physician after that choice or selection has been made by an adult of sound mind

(c) All matters disputes or controversies relating to the medical or osteopathic services rendered by the doctors of medicine or doctors of osteopathy or any questions involving professional ethics shall be considered acted upon disposed of and determined only by doctors of medicine or doctors of osteopathy as selected in a manner prescribed in the by-laws of the nonprofit medical and osteopathic service corporations

Section 9 Determination of income status rights of persons of low income (a) the following shall be a person or persons of low income and a person or persons of over-income eligible for the benefits of and under this act

Persons of low income

(1) In the case of persons without dependents Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

(1) All persons not persons of low income shall be persons of over-income

(b) The nonprofit medical and osteopathic service corporation shall determine whether an applicant for subscription is in receipt of a low income or over-income within the meaning of this act and after the application has been approved the subscriber shall be deemed to be of low income or over-income until it has been determined by the corporation which redetermination may be made at any time

(c) The nonprofit medical and osteopathic service corporation in determining the income status of any person may through its officers and agents examine under oath any applicant claiming a low income status and any other person consenting thereto who is believed to have material knowledge concernling the status of the applicant its determination shall be final

(d) Every person of low income and every person of over-income residing in the area served by a nonprofit medical and osteopathic service corporation shall be entitled upon complying with regulations adopted by that corporation and the payment of such initiation and other fees as authorized by the insurance department to the services of any doctor of medicine or doctor of osteopathy registered with the corporation under such terms and conditions as are customary in medical or osteopathic services in the community but only within the limits of services for which such doctors of medicine or doctors of osteopathy are registered provided however that a nonprofit medical and osteopathic service corporation may for cause refuse to enter into contractural relations with an applicant and may for cause after due notice and hearing rescind any contract that it has entered into with any subscriber and refund any unearned portion of any fees paid and may on default in payment of the agreed dues fees payments or any charges by suscriber or someone on his behalf discontinue service without notice and hearing after having notified a subscriber of his default and having allowed him two days to procure such services provided further however that persons of over-income shall be liable to doctors of medicine or doctors of osteopathy registered with the corporation rendering services to such persons of over-income for the full amount of the usual fees and charges for such services made by such doctors of medicine or doctors of osteopathy and any payment made by the corporation to doctors of medicine or doctors of osteopathy for services rendered to subscribers of over-income shall be a payment to the extent agreed upon between the corporation and the doctors of medicine or doctors of osteopathy on account of the full sum due the doctors of medicine or doctors of osteopathy for rendering such services

(e) No contract by or on behalf of any nonprofit medical and osteopathic service corporation shall provide for the payment of any cash or other material benefit by that corporation to a subscriber on account of illness or injury nor be in any way related to the payment of any such benefit by any other agency

Section 10 Limitation of subscriber's contract a nonprofit medical and osteopathic service corporation may as a condition precedent to entering into a contract with an applicant or group of applicants for medical or osteopathic service

(a) Require a physical examination of the applicant and of each of his dependents if any and proof of his or their substantial freedom from any disease or condition requiring immediate medical or osteopathic service or likely to require it within the next twelve (12) months before a contract becomes effective or

(b) Require a waiting period after a contract is entered into and before the subscriber is entitled to medical or osteopathic service or

(c) Require that the subscriber or someone on his behalf shall pay the stated fee or fees for medical or osteopathic services in the case of any given illness or injury or other condition requiring medical or osteopathic service before becoming entitled to treatment under the terms of the contract

Section 11 Relief officers may subscribe for service every department commission officer and other agency of the state or of any political subdivision thereof who is charged

by law with the duty of providing medical or osteopathic services within the meaning of this act for persons unable to provide it at their own expense or to procure it through persons to whose support and assistance they are by law entitled is hereby empowered in the exercise of his authority to provide such service if in his judgment it is in the public interest so to do through a subscription or subscriptions paid for from any lawfully available public funds with any nonprofit medical and osteopathic service corporation on behalf of any person or persons entitled to such relief

Section 12 contracts subject to supervision of insurance department all rates charged subscribers or groups of subscribers by any nonprofit medical and osteopathic service corporation and the form and content of all contracts between any such corporation and its subscribers or groups of subscribers all methods and rates of payment by such corporation to doctors of medicine or doctors of osteopathy serving its subscribers all acquisition costs in procuring subscribers the reserves to be maintained by such corporation and all contracts entered into by any such corporation and extending over a period of more than twelve (12) months or calling for the expenditure by the corporation of any amount in excess of twenty (20) per cent of its reserves shall be approved by the insurance department before they become effective

Application for such approval shall be made to the Insurance Department in such form and shall contain such information as the department requires within thirty (30) days after the filing of such application the department shall notify the applicant in writing whether the application has been approved or rejected by notice served on the president secretary or some other responsible officer of the corporation or addressed to the corporation at its principal place of business by registered mail with return receipt requested within thirty days after the receipt of a notice rejecting any such application the corporation may petition the court for a rule to show cause why the action of the department should not be set aside and the application approved the court is hereby given jurisdiction and authority to entertain and determine any such proceeding

Section 13 Financial report every nonprofit medical and osteopathic service corporation shall on or before the first day of March of every year file with the Insurance Department a statement verified by at least two of the principal officers of the corporation summarizing its financial activties during the calendar year immediately preceding and showing its financial condition at the close of business on the thirty-first day of December of that year such statement shall be in such form and shall contain such matter as the Insurance Department prescribes the financial affairs and status of every such corporation shall be examined by the insurance commissioner and his agents not less frequently than once in every three years and for that purpose the insurance commissioner and his agents shall be entitled to the aid and cooperation of the officers and employes of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation they shall have authority to examine the officers agents employes and subscribers for the medical or osteopathic services of the corporation and all cooperating doctors of medicine or doctors of osteopathy registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to its affairs transactions and financial condition such examinations shall be made at such times and with such frequency as the insurance commissioner may determine the insurance commissioner may at any time without making such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the financial affairs and statute of the corporation

Section 14 Investment any law to the contrary notwithstanding funds of any nonprofit medical or osteopathic service corporation equal to its reserves shall be invested in compliance with the requirements of law for the investment of the capital reserves of life insurance companies the funds of any such corporation equal to its surplus shall be invested in compliance with the requirements of law for the investment of the surplus of life insurance companies

Section 15 Exemption from taxation Every nonprofit medical and osteopathic service corporation is hereby declared to be a charitable and benevolent institution and all its income funds investments and property shall be exempt from all taxation of the state or its political subdivisions

Section 16 Medical and osteopathic service report Every nonprofit medical and osteopathic service corporation shall on or before the first day of March of every year file with the Department of Health a report of its activities other than its financial activities during the calendar year immediately preceding Every such report shall be authenticated by at least two of the principal officers of the corporation and shall be in such form and contain such matter as the Department of Health prescribes the Department of Health is hereby authorized to inquire into the activities of the nonprofit medical and osteopathic service corporations and to determine whether the corporation is providing adequate medical or osteopathic services to its subscribers in accordance with the best medical or osteopathic practice in the community The Secretary of Health and his agents shall be entitled to the aid and cooperation of the officers and employes of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation they shall have authority to examine the officers agents employes and subscribers for the service of the corporation and all doctors of medicine or doctors of osteopathy registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to the affairs transactions and condition of the corporation other than financial examinations may be made at such times and with such frequency as the Secretary of Health may determine the Secretary of health may at any time without making any such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the affairs of the corporation other than its financial affairs in the event the Secretary of Health finds that the nonprofit medical and osteopathic service corporation does not provide adequate medical or osteopathic services to its subscribers in accordance with the best medical or osteopathic practice in the community The Secretary of Health may notify the corporation of his findings and order the corporation in specific terms to extend or improve the medical or osteopathic services furnished by the corporation within thirty (30) days after receipt of such notice from the Secretary of Health the corporation may petition the court to show cause why the action of the Secretary of Health should not be set aside or modified the court is given jurisdiction and authority to entertain and determine any such proceeding and controversy

Section 17 Penalties Any person partnership association common law trust or corporation that violates any provision of this act or of any order of the Department of Health or of the Insurance Department made pursuant thereto Any person who hinders or prevents the Department of Health or the Insurance Department in the discharge of any duty imposed on it by this act Any person who fraudulently procures or attempts to procure any benefit under this act and any person who wilfully makes any false statement in any proceeding or report under the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or to be imprisoned for not more than six (6) months or both in the discretion of the court Any act or default by any corporation association or common law trust in violation of any provisions of the act or of any order of the department made pursuant thereto shall be deemed to be the

act or default of its officers or directors who participated in authorizing or effecting such act or default or who knowingly permitted it

Section 18 Enforcement When necessary to effect the purposes of this act in addition to all other remedies in law or equity the insurance commissioner and the Secretary of Health either or both of them may be and are hereby authorized to petition the court for a mandamus or injunction to prevent any violation of the provisions of this act or the continuance of any such violation or to enforce compliance herewith the court is hereby vested with authority to entertain jurisdiction on any such petition to determine the cause and to issue such process as may be necessary to accomplish the purposes of this act

Section 19 Constitutional construction and severability It is hereby declared to be the purpose and intent of this act and the policy of the legislature to authorize qualified persons to provide adequate medical or osteopathic services for residents of this state who are unable to provide such services for themselves or their dependents at their own cost without depriving themselves or their dependents of such necessaries of life as food clothing and shelter and provide persons of over-income with the limited medical or osteopathic service benefits hereinbefore set forth [at the same time it is the purpose and intent of this act and the policy of the legislature to maintain the standing and promote the progress of the science and art of medicine in this state] the courts of this state are hereby directed to construe this act liberally in order to accomplish those ends

The provisions of this act shall be severable and if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared that this act would have been adopted had such unconstitutional provision not been included therein

[Section 20 Limitation Nothing in this act shall be construed so as to modify vary or repeal any law now in force relating to the practice of medicine and surgery excepting only as they are inconsistent with the provisions of this act relating to nonprofit medical service corporations

Section 21 Effective date this act shall take effect immediately upon final enactment]

Section 2 The provisions of this reenactment and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mellery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 453, on third reading, entitled:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervisors and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 494, as follows:

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection wtih the education of handicapped children.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section one thousand three hundred seventy-three thereof a new section to read as follows

* * * * *

Section 1373.1 Readers helpers guides aids appliances etc reimbursement The Commonwealth shall reimburse school districts out of the moneys appropriated to the Department of Public Instruction for special education for the cost of readers helpers guides aids appliances special school books and supplies and devices for any child between the ages of six and twenty-one years of age who is blind deaf or afflicted with cerebral palsy and who is enrolled with the approval of the Department of Public Instruction in any of the public schools of the Commonwealth an amount equal to the costs of these services and equipment multiplied by the district's reimbursement fraction

No such expenditures nor purchases may be made by any school district unless in accordance with a budget submitted by the district and approved by the Department of Public Instruction The total expenditure by the Commonwealth hereunder shall not exceed seventy-five per cent of a such which would have been expended for the tuition and maintenance of any such child in a residential school for the blind deaf or those afflicted with cerebral palsy that has been approved by the Department of Public Instruction for the education of the blind deaf or those afflicted with cerebral palsy

The services of such reads helpers and guides may be contracted and paid for by the school district irrespective of the age of the person rendering such assistance and of the employment of such person by the school district as a teacher or otherwise and of the time and place where such services are rendered

The Department of Public Instruction shall establish such necessary rules regulations and standards as it may deem necessary for carrying out the provisions of this act

Section 2 The provision of this act as well as the provisions of the section added thereby shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 532, as follows:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings

The General Assembly of the Commonwealth of Pennsylvania hereby amended to read as follows

Section 1 Sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" are hereby enacts as follows

Section 1202 Procedure All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation

Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the commission pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of this Commonwealth and cause such person to be brought before him

When any person is arrested without warrant the officer making the arrest shall immediately except on Sunday take such person before a magistrate alderman or justice of the peace and make complain by affidavit

The magistrate alderman or justice of the peace or the court in case of appeal shall in all cases hear the evidence and determine the guilt or innocence of the person accused If such person is convicte] of the offense charged and if the magistrate alderman or justice of the peace or the court on appeal shall also find that any bird or animal or part thereof or of any fire arm trap dog boat conveyance vehicle or its attachments or any device implement or appliance the use of which is expressly forbidden by this act and found in possesion of the defendant is unlawfully possessed and liable to forfeiture to the Commonwea]th the defendant shall be sentenced to forfeit to the Commonwealth such bird or animal or part thereof or such of the before-mentioned unlawful articles and equipment as shall have been found to be unlawfully used or unlawfully in his possesion and also to pay the full fine prescribed by this act for such violation together wtih costs of prosecution and in default of the payment of such fine and costs shall be sentenced to imprisonment one day for each dollar of fine and costs so imposed and shall also be sentenced to forfeit to the Commonwealth such property implements devices or any bird or animal for the use of or disposal by the commission

In all instances when a defendant shall be imprisoned one day for each dollar of fine and costs imposed pursuant to the provision of this section the Pennsylvania Game Commission shall pay one dollar ($1) per day for each such of imprisonment to the county operating the jail in which such defendant is imprisoned for cost of his maintenance

Section 1206 Search Warrants Whenever any individual makes any complaint in writing before any magistrate alderman or justice of the peace supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe that he has just and reasonable grounds for believing and does believe that certain birds or animals have been caught taken killed possessed shipped or are about to shipped or that a fire arm or dog is concealed by an unnaturalized foreign-born resident contrary to the provision of this act and describing as nearly as may be the things to be searched for and place or places to be searched shall issue a search warrant and cause search to be made

When no such birds animals fire arms or dogs are found during such search all costs in such proceeding including the cost of making the search shall be paid by the Pennsylvania Game Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 628, on third reading, entitled:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance of authorized but unissued stock to officers and employes of company or subsidiary upon approval of majority of stockholders

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 640, on third reading, entitled:

An Act to repeal section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" relating to the right of certain mutual fire insurance companies to become stock companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 642, on third reading, entitled:

An Act to amend section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating reserves with respect to domestic mutual fire insurance companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 669, on third reading, entitled:

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 673, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 678, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shoreholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 680, as follows:

An Act to further amend section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the rights of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearing and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the powers of the Pennsylvania Labor Relations Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled 'An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certian penalties" as last amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1445) is hereby further amended by adding after subsection (f) a new subsection to read as folows

Section 4 Pennsylvania Labor Relations Board Created

* * * * *

(g) The board by and with the approval of the Secretary of Labor and Industry shall have authority to cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the board under this act and particularly in relation to agreements providing for the ceding to the board by the National Labor Relations Board of jurisdiction over any cases in any industry (other than mining manufacturing communications and transportation except where predominantly local in character)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 698, as follows:

An Act authorizing the Pennsylvania Liquor Control Board to issue liquor licenses to airport restaurants without regard to population restrictions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Liquor Control Board is hereby authorized to issue a liquor license to any applicant who meets all of the requirements of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933 Special Session P. L. 15) and known as the "Pennsylvania Liquor Control Act" when such applicant is applying for a liquor license for a restaurant being operated or to be operated upon the premises of a commercially licensed airport being served by scheduled common carrier by air or mail and passengers and said board shall disregard the population restrictions of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" in connection with any such application

Section 2 No commercially licensed airport shall have upon its premises more than one restaurant with a liquor license

Section 3 If any commercially licensed airport shall have its license as an airport suspended the liquor license of the restaurant thereon operated shall be suspended during the same period of suspension and should any commercially operated airport have its license as an airport revoked the liquor license of the restaurant thereon operated shall be revoked

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Blass,	Hare,	Pechan,	Toole,
Crowe,	Holland,	Peelor,	Wade,
Dent,	Homsher,	Rosenfeld,	Wagner,
Diehm,	Kephart,	Ruth,	Walker,
DiSilvestro,	Lane,	Scarlett,	Watkins,
Doehla,	Leader,	Snowden,	Watson,
Donlan,	Letzler,	Stevenson,	Wolfe,
Farrell,	Lord,	Stiefel,	Wood, L. H.,
Frazier,	McPherson, Jr.,	Tallman,	Wood, T. N.,
			Yosko,

NAYS—5

Berger,	Mahany,	Mallery,	Robinson,
Chapman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723, as follows:

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" as last amended by the act approved the twelfth day of June one thousand nine hundred and forty-seven (P. L. 587) is hereby further amended to read as follows

Section 2 (a) Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue in whole or in part capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind or reclassify its capital stock now or hereafter authorrized or outstanding by changing the number par value designations preferences or relative participating optional preemptive or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares in the same manner and by the same stock vote (except as hereinafter in this section otherwise provided) as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar adjustment of the capital structure or share structure of such corporation Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation

(b) If the proposed change in the capital structure or share structure would authorize the board of directors to fix and determine the relative rights and preferences as between series of any preferred or special class or would revoke the authority of the board of directors to do so then the holders of the outstanding shares of any such class shall be entitled to vote in respect to such change regardless of any limitations stated in the certificate of incorporation or in the resolutions authorizing the same on the voting rights of such class If the proposed change in the capital structure or share structure would make any change in the preferences qualifications limitations restrictions or special or relative rights of the shares of any class or increase or decrease the par value or the authorized number of shares of any class or limit or deny the existing preemptive rights of the shares of any class or authorize a new class of shares senior or superior in any respect to the shares of any class then authorized or increase the number of authorized shares of any class senior or superior in any respect to the shares of any class then authorized the holders of the outstanding shares of the class or classes affected adversely by such change shall be entitled to vote as a class on such change regardless of any limitations stated in the certificate of incorporation or in the resolutions authorizing the same on the voting rights of such class or classes

(c) Unless the certificate of incorporation or the resolutions authorizing the same require a greater vote the proposed change shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed change shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares in each class

of shares entitled to vote as a class thereon and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

(d) In case the proposed change in the preferences qualifications limitations restrictions or special or relative rights of the shares of any class including the limiting or denying of any existing preemptive rights of the shares of any class would adversely affect the holders of the outstanding shares of stock of any class or classes the following provisions shall apply

(1) If any such stockholder of a corporation which proposes to make any such change shall file with such corporation prior to or at the meeting of stockholders at which the change is submitted to a vote a written objection to such change and shall not vote in favor thereof and such stockholder within twenty days after such meeting shall also make written demand on the corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the change without regard to any depreciation or appreciation thereof in consequence of the change the corporation shall pay to such stockholder the fair value of his shares upon surrender of the certificate or certificates for his shares The demand of the stockholder shall state the number and class of the shares owned by him Unless a stockholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the change and shall be bound by the terms thereof If within thirty days after the date of such meeting the value of such shares shall be agreed upon between the dissenting stockholder and the corporation payment thereof shall be made in case within ninety days after the date of such meeting upon the surrender of the certificate or certificates for his shares Upon payment of the agreed value the dissenting stockholder shall cease to have any interest in such shares or in the corporation. Such shares may be held and disposed of by the corporation as it may see fit

(2) If within such period of thirty days the stockholder and the corporation do not so agree then the dissenting stockholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the change The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the corporation unless in the opinion of the court the action of any stockholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the corporation of the certificate or certificates for the shares of the dissenting stockholder If the award shall not be paid by the corporation within the thirty days after the order of the court thereon the amount of the award shall be a judgment against the corporation and may be collected as other judgments in such court are by law collectible Upon the payment of the ward or judgment the dissenting stockholder shall cease to have any interest in such shares or in the corporation Such shares may be held and disposed of by the corporation as it may see fit Unless the dissenting stockholder shall file a petition within the time herein limited such stockholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the change and shall be bound by the terms thereof

(3) The rights and remedies at law or in equity of any stockholder who desires to object to or to dissent from any such change shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive

(4) A copy of this subsection (d) shall be sent to each stockholder along with the notice of the meeting at which such a change is to be submitted to the stockholders and each stockholder shall be notified that this subsection (d) sets forth the exclusive rights and remedies of stockholders who object to the change

[b] (e) As to shares authorized by such stock vote but unissued unless the charter or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares so authorized

[c] (f) If the charter so provides the shares of any preferred or special class may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the charter provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect to any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes

[d] (g) If the charter shall expressly vest authority in the board of directors then to the extent that the charter shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in subdivision [c] (f) of this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the charter and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provisions for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

[e] (h) Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement in duplicate executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State find that such statement conforms to law and the charter of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement by the Department of State and upon compliance with the requisite provisions of any law regulating the issue of securities by the corporation the resolution establishing and designating the series and fixing and de-

termining the relative rights and preferences thereof shall become effective

Section 2 Section 3 of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (P. L. 1159) is hereby repealed absolutely and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 723, on third reading, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 724, as follows:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" is hereby amended to read as follows

An Act authorizing corporations to issue stock to their employes and to employes of their subsidiaries [at par value or at a price in excess of par value] and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations

Section 2 Section 1 of said act is hereby amended to read as follows

Section 1 Be it enacted &c That any corporation organized or existing under any general or special law of this Commonwealth with the consent of the stockholders having the right to vote at meeting of stockholders given in writing or given by a majority vote at the annual stockholder's meeting or at a stockholders' meeting specially called for the purpose may upon such terms and restriction as they shall impose provide and carry out a plan for the issue [at par value or at a price in excess of par value] of any or all of its authorized but unissued stock to employes of the corporation or to employes of subsidiary corporations who may desire to subscribe therefor or to a trustee on their behalf without first offering such shares to the stockholders and for the payment of such stock in installments or at one time and for the establishment if provided for in any such consent of a special fund or funds in which employes purchasing stock pursuant to such plan and continuing in the ownership thereof and in the employment of the corporation during a definite period of time may be privileged to share upon such terms and conditions as may be imposed in respect thereof except that shares subject to preemptive rights may be issued only with the written consent or affirmative vote of the holders of a majority of the shares entitled to exercise preemptive rights with respect thereto provided however that if the number of shares of such stock already issued to such employes under such a plan together with the number of shares of stock proposed to be issued to such employes amounts to more than 10% of the total number of shares of such stock outstanding at that time such additional shares may be issued only with the written consent or affirmative vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto

Section 3 The provisions of this act shall become effective immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 733, on third reading, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of injured ill or dead persons by ambulance and eliminating expired provisions

be recommitted to the Committee on Corporations.

Mr. President, I have been requested by the Chairman of the Committee on Corporations to advise the Senate there is a similar provision that has passed the House that is in his committee for study and therefore this bill would be a mere duplication.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 783, on third reading, entitled:

An Act to amend clause (6) of section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 849) entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties" by further defining the term physical restoration

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 979, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on second reading, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 107, on second reading, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the number of signatures required on nominating petitions of associate judges unlearned in the law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class, boroughs, towns, and townships to carry out certain of their governmental functions in a more efficient manner; prescribing the officers and powers and duties of such districts and the duties of participating municipalities; and conferring jurisdiction on courts of quarter sessions in connection therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 327, entitled:

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof and by further regulating insurance in connection with such sales

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 389, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendments:

Amend Sec. 1 (Sec. 807) page 8, line 20, by underscoring the letter "(A)"; amend Sec. 1 (Sec. 807) page 9, line 2, by striking out the word "Counties" and inserting in lieu thereof "school districts"; Amend Sec. 1 (Sec. 807) page 9, line 3, by striking out the word "Counties" and inserting in lieu thereof "school districts"; amend Sec. 1 (Sec. 807) page 9, line 5, by striking out the word "Counties" and inserting in lieu thereof "school districts."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 430, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend bill, Section 1, page 2, line 9, by inserting after the word "union" and before the "shall," the word "which"; Amend bill, page 2, Section 1, by inserting after line 17 the following: "(5) Life insurance covering the members of one or more companies, batteries, troops, battalions, divisions or other units of the National Guard or naval militia of any State, written under a policy issued to the commanding general of the National Guard or comanding officer of the naval militia, as the case may be, who shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the members of such units for the benefit of persons other than the employer: Provided, however, That when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such unit may be so insured.

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Bill, Section 8, page 17, line 15, by striking out at the end of said line the word "shall" and inserting in lieu thereof the word "may"; Amend Bill, page 17, by inserting after line 17 the following new section: Section 9—Premium Basis—No domestic life insurance company shall issue any policy of group life insurance, the premium for which shall be less than the net premium based on the American men ultimate table of mortality, with interest at three and one-half per centum per annum, plus a loading, the formula for the computation of which shall be determined by the Insurance Commissioner. A foreign life insurance company, which shall not conduct its business in accordance with this requirement, shall not be permitted to do business in this Commonwealth. Any such policy may, however, anything in this act to the contrary notwithstanding, provide for a readjustment of the rate, based on experience at the end of the first or any subsequent year of insurance; which readjustment may be made retroactive for such policy year only.

Thev were agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Bill, page 17, line 18, by striking out after the word "Section" and before the word "Repeal" the numeral "9" and inserting in lieu thereof the numeral "10".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendment:

Amend Title, page 1, line 2 of Title, by inserting after the word "thereon" and before the word "and" the following: "the premium basis thereof":

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 544, on second reading, entitled:

An Act to further amend the first paragraph of section eight of the act approved th fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further prescribing the number of eligible employes necessary for municipalities to join said retirement system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 702, entitled:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 718, on second reading, entitled:

An Act to add section five hundred twenty-two to the act approved the tenth day of May one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board imposing duties on the Department of Public Instruction and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 735, on second reading, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 736, on second reading, entitled:

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations regulating the purchase possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies restricting the issuance of licenses to clubs not included among said units conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 900, on second reading, entitled:

An Act to further amend section one thousand two hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by clarifying provisions for payment of compensation of constables and their deputies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1134, entitled:

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1192, entitled:

An Act to further amend section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. T. NEWELL WOOD, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 792, entitled:

An Act to amend section three of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

SON OF SENATOR BLASS PRESENTED TO SENATE

The PRESIDENT. At this time the Chair would like to call to the attention of the Senators that we have the son of a very distinguished Senator in our midst today, Lieutenant Commander Frederick A. Blass, son of Senator Blass from Erie. We would like to have him stand up.

Lieutenant Commander Blass is accompanied by his wife, and we would also like to have her stand up.

I want to say to you that we would like you to have an opportunity to see your father in action, and that may happen.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 4, 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvenes on Monday, April 11, 1949, at four o'clock P. M., E. S. T., and when the House of Representatives adjourns this week it reconvenes on Monday, April 11, 1949, at four-thirty o'clock, P. M., E. S. T.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 7

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 7, entitled:

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first and second violations of said act summary offenses instead of misdemeanors

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 8

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 8, entitled:

An Act to further amend section five of the act, approved the eleventh day of March, one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded non-alcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 9

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 9, entitled:

An Act to further amend section three of the act, approved the eighth day of June, one thousand nine hundred eleven (P. L. 712), entitled "An act relating to milk; providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk and cream; providing penalties for the violation thereof; and providing for the enforcement thereof," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 10

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 10, entitled:

An Act to amend section four of the act, approved the third day of March, one thousand nine hundred twenty-five (P. L. 10), entitled "Fruit Syrup Law," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 11

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 11, entitled:

An Act to amend section three of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 929), entitled "Skimmed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 12

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 12, entitled:

An Act to amend section four of the act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28), entitled "Condensed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 13

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 13, entitled:

An Act to amend section three of the act, approved the tenth day of July, one thousand nine hundred nineteen (P. L. 900), entitled "An act relating to eggs, prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, eggs, for and as fresh, that are not fresh eggs, or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 14

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 14, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of March, one thousand nine hundred five (P. L. 64), entitled "An act to prohibit the selling, shipping, consigning, offering for sale, exposing for sale, or having in possession with intent to sell, as fresh, any meat, poultry, game, fish, or shell fish which contains any substance or article possessing a preservative or coloring character or action; making the same a misdemeanor; and to prescribe penalties and punishment for violations, and the means and the methods of procedure for the enforcement thereof," making the first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 15

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 15, entitled:

An Act to amend section twelve of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 670), entitled "Cold Storage Warehouse Food Law," making first and second violations of said act summary offenses instead of misdemeanors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 16

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 16, entitled:

An Act to further amend section one of the act, approved the tenth day of June, one thousand eight hundred ninety-seven (P. L. 142), entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so-called preservatives or coloring matter, and to provide for the enforcement of the same," making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 17

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 17, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalities," making first violations of said act summary offenses instead of misdemeanors

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 795

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 795, entitled:

An Act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment bond, removal and discharge of fiduciaries of such estates, their powers, duties, and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction powers and procedure of the orphan's court and of the register of wills in all matters relating to fiduciaries.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1041

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1041, entitled:

An Act to amend sections four and eight of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1045

He also presented comunication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 1045, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended "An act empowering cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon," by extending to counties the powers granted therein clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewage sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made.

CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 181 FROM THE GOVERNOR

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 5, 1949.

Resolved (if the House concur), that Senate Bill No. 181, Printer's No. 29, entitled "An act declaring bonds issued by the State Public School Building Authority legal investments for the School Employes Retirement Fund" be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 43, entilted:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State Authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 160, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without psychosis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 190, entilted:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" by making the provisions thereof mandatory under all circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 214, entitled:

An Act to amend the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," as heretofore amended and reenacted, by providing for creation and abolition of wards, for the detachment of territory, the election of councilmen, for the election of a banking institution as borough treasurer, for change in the fiscal year and for budgets, tax levies and audits necessitated hereby, for the acquisition and lease of lands and buildings for comfort stations and the

appropriation of moneys for the acquisition of land for fire company purposes, for recognition of fire companies whose members are to be covered by Workmen's Compensation Insurance, for the adoption of a plumbing code; empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities; authorizing the use of general fund moneys for pension purposes; regultaing contracts and sewer rentals; and clarifying and revising certain provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 461, entitled:

An Act to add subdivision (f) to section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life subject to certain conditions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the total maximum length of certain vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance of agents' licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 670, entitled:

An Act to amend sections six hundred one, six hundred four, seven hundred one as amended, seven hundred two and seven hundred three, of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment." by specifying dates with respect to the preparation and submission of assessment rolls the inspection of such rolls, notices to taxpayers, appeals from assessments and hearings thereon, the certification of assessed valuations and the delivery of assessments to taxing districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of prop-

erty; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 672, entitled:

An Act to amend section six, as amended, and section ten, clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing for notices to taxables, for discounts and penalties, for collection of taxes by suit, and for the settlement of tax duplicates; abolishing payment of taxes in installments; and regulating the collection, discounts, penalties, the settlement of duplicates and return and liening of unpaid taxes on real property for the temporary fiscal period from the first Monday of January, one thousand nine hundred fifty and ending June thirtieth, one thousand nine hundred fifty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 672, entitled:

An Act to further amend sections two four five and six of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by bringing additional types of buildings under the provisions of the act further revising the classification of buildings covered by this act further regulating ways of egress providing for fire proofing or the closing of vertical openings in buildings regulating the installation of equipment for the display or sale of merchandise prescribing the level on which gymnasiums used for public assembly may be placed prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act to further amend section one and clause (a) of section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by changing the times for the return of delinquent taxes on real estate, for tax sales, and when interest shall begin to run.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act to amend sections four hundred one, four hundred forty-one, five hundred seven, five hundred fifteen and five hundred sixteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subects, property and persons subect to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessemnts and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by changing dates for the issuing of precepts to assessors, for returns by assessors where optional asessments are made, for the completion of transcripts of assements, and for the furnishing of duplicates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act to amend section 1704 1705 1801 sections 1809 and 1811 as amended 2511 2515 2520 sections 2551 and 2557 as amended and 2576 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the fiscal year of cities of the third class providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act to amend sections three hundred forty-five, three hundred forty-six, three hundred sixty-three, three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing fiscal years of counties; providing for a temporary fiscal period to effectuate such change; and regulating budgets audits and financial reports

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act to amend section seventeen point three of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending the retirement privileges of certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 751, entitled:

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file or of record and the replacement and certification of originals previously filed and of records by officers of counties of the first class and of cities of the first class by photostatic photographic microphotographic microfilm or other mechanical process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 790, entitled:

An Act to repeal the act approved the sixth day of May, one thousand nine hundred forty-three (P. L. 190), entitled "An act authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same," and its amendments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act to further amend section seven of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by exempting from necessity of net quantity being marked thereon packages of bakery products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 800, entitled:

An Act to amend section four thousand four hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appointments to fill vacancies from certified lists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 814, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

And said bill having ben read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 815, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting earnings or other income to supplement public assistance in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1257, entitled:

An Act to repeal certain provisions of and to add a new article eight to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission and authorizing and empowering the Secretary of Highways with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1258, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolising creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" abolishing the State Bridge Commission and its functions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 6, 1949, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:52 o'clock, p. m., Eastern Standard Time, until Wednesday, April 6, 1949, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 5, 1949.

The House met at 11:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer offered the following prayer:

O God, Who hast taught us that we are most truly free when we find our wills in Thine; Grant us in all our duties Thy help, in all our perplexities Thy counsel, in all dangers Thy protection. Give us a pure heart, and a steadfast will, that all our work may be to the honor of Him who hath honored us with His love and fellowship, Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 4, 1949.

The Clerk proceeded to read the Journal of Monday, April 4, 1949, when, on motion of Mr. WEIDNER unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 229.

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Referred to the Committee on Appropriations.

SENATE BILL No. 333.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Referred to the Committee on Appropriations.

SENATE BILL No. 436.

An Act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Phychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh.

Referred to the Committee on Welfare.

SENATE BILL No. 508.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 524.

An Act to amend section one thousand four hundred twenty-nine and two thousand five hundred five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by setting forth the qualifications of certain school nurses requiring their certification and providing for reimbursement on account of school nurses in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 578.

An Act to amend the act approved the eleventh day of June, one thousand nine hundred forty-one (P. L. 101), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County, the western terminus of the turnpike heretofore constructed by said commission, to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade change and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the construction, operation and maintenance of a turnpike extension from a point at or near Erie to connect with the Pennsylvania Turnpike.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. FLEMING and STUART.

(Concurrent) RESOLUTION No. 49.

In the House of Representatives, April 4, 1949.

Whereas, The Commonwealth of Pennsylvania has the most extensive and best system of highways in the entire United States; and

Whereas, The maintenance of this vast network of highways costs tremendous sums of taxpayers' money annually; and

Whereas, During the past several sessions of the General Assembly, the problem of regulating the permissible size and weights of trucks, which affects the wear and tear on and maintenance costs of our highways has been a pressing one; and

Whereas, This serious problem has arisen largely because the trucking industry claims it is being treated unfavorably by this Commonwealth both as to discrimination as between this and other states in the maximum size and weights permitted and as to the damage and wear and tear trucks cause to the Pennsylvania highway systems, which claims have been countered by equally effective evidence to the contrary by various groups; now therefore be it

Resolved, (if the Senate concur) That the Joint State Government Commission is hereby directed to survey, investigate and consider the problem of the weight and size of trucks that can and should be permitted on the highways of this Commonwealth, especially as compared with the permitted weights and size in adjoining and other states, the effect of such weights and sizes on the highways and the costs of maintenance and repair, and all matters pertinent and relevant thereto, and to report its findings and conclusions to the next session of the General Assembly together with a bill or bills embodying the same.

Referred to the Committee on Rules.

By Messrs. STUART and FLEMING.

RESOLUTION No. 50.

In the House of Representatives, April 4, 1949.

Whereas, Every college student should be familiar not only with the history but also with the government of his state; and

Whereas, College students intending to teach in the public schools of this Commonwealth should have a particularly thorough schooling in such subjects; and

Whereas, Valuable to each such prospective teacher would be a first-hand study of state government in action at the State Capitol; now therefore be it

Resolved, by the House of Representatives, That the Department of Public Instruction is hereby directed to make a study of ways and means to bring to Harrisburg for periods of a week, various groups of selected students from each of the State Teachers' Colleges in order that they may study their state government in operation by observation. Such study shall embrace the method of

choosing such students, the number from each college to be chosen, the itinerary of such study, and the method of financing such a project. In addition, the Department shall consider and report on the feasibility of housing such groups at Indiantown Gap during their week at Harrisburg. The Department shall embody the results of its study into a written report which it shall present to the General Assembly not later than April 1, 1949.

Referred to the Committee on Rules.

By Messrs. WOOD and ANDREWS.

RESOLUTION No. 51.

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO SURVEY THE SPECIAL HAZARDS CONFRONTING CERTAIN STATE EMPLOYES IN THE PERFORMANCE OF THEIR DUTIES AND TO REPORT REGARDING THIS MATTER TO THE NEXT SESSION OF THE GENERAL ASSEMBLY

In the House of Representatives, April 4, 1949.

Whereas, It is contended that in certain departments of the State Government employes, in the performance of their duties, are subjected to conditions which are deleterious to their health and in many cases are exposed to injuries resulting in disability and premature death; and

Whereas, In order to meet the financial losses incurred by these employes and their families under such conditions, various requests, from time to time, are made of the General Assembly to provide benefits more liberal than those now available to State employes through the State Employes' Retirement System; and

Whereas, No comprehensive study has been made of these conditions referred to; therefore be it

Resolved, That the Joint State Government Commission is hereby authorized to make the studies necessary to ascertain what these occupational hazards are and report its findings to the next regular session of the General Assembly.

Referred to the Committee on Rules.

By Mr. WEISS. (Concurrent) RESOLUTION No. 52.

In the House of Representatives, April 4, 1949.

Whereas, Article II, section eighteen of the Constitution of the Commonwealth of Pennsylvania requires the General Assembly to apportion the State into proper senatorial and representative districts immediately after each United States decennial census, and

Whereas, There has been no such senatorial and representative apportionment of this State since the year 1921, and

Whereas, The Pennsylvania Bar Association and the people of this State have on numerous occasions voiced their protest against the failure of the General Assembly to comply with this constitutional mandate, and

Whereas, The United States decennial census to be made in the year 1950 will afford a current and proper basis on which the next regular session of the General Assembly may comply with this constitutional mandate, therefore be it

Resolved (if the Senate concur), That a committee of fourteen be appointed, consisting of seven members of the Senate to be appointed by the President Pro Tempore, and seven members of the House of Representatives, to be appointed by the Speaker, to make a study of the proper apportionment of the State into congressional, senatorial and representative districts, and as soon as the reports of the 1950 United States decennial census are available, to recommend proper apportionments in conformity with the provisions of the Constitution and the results of such census, and to present to the next regular session of the General Assembly apportionment bills, establishing such proper apportionments, to the end that the mandate of the Constitution be complied with.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. McCORMACK from the Committee on Welfare, reported as amended, Senate Bill No. 212, entitled:

An Act to further amend section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain children placed in foster homes, by the court, eligible for assistance.

Mr. McKINNEY from the Committee on Judiciary, reported as committed, House Bill No. 427, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

Mr. KAMYK from the Committee on Welfare, reported as committed, Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia, the Eastern Pennsylvania Psychiatric Institute, as a State institution; providing for a board of trustees and a medical advisory board therefor; conferring powers and imposing duties upon the Department of Property and Supplies, the Department of Welfare, the board of trustees and the medical advisory board

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 427, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State institution providing for a board of trustees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. SCHMIDT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. SCHMIDT. Mr. Speaker, in the morning edition of one of the Pittsburgh newspapers referring to the House votes on the police bill that was passed here in the House, referring particularly to House Bill 1194, Printer's No. 423, I along with three other members on the Democratic side are listed as not voting. I desire that the record shows that I was in the House at the time and that I voted "no" on this bill.

WILSON HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House ninety-one students of the Senior Class of the Wilson High School, Spring Township, Berks County under the supervision of Mr. Lloyd Miller, Mr. Clayton Rehrer and Miss Helen Rhodes, teachers. They are the guests of the gentleman from Berks, Mr. Weidner.

COMMUNICATION AND HOUSE BILL NO. 795 TAKEN FROM TABLE

Mr. LEE. Mr. Speaker, I move that House Bill No. 795, together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 795.

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans court and of the register of wills in all matters relating to fiduciaries

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Article VII, page 12, Section 711 by striking out the word "Courts" and inserting in lieu thereof the word "Court"

Amend Article VII, page 12, Section 712 by striking out the word "Courts" and inserting in lieu thereof the word "Court"

Amend Section 105, page 26, line 6 by striking out "948" and inserting in lieu thereof "984"

Amend Section 303, page 36, line 10 by striking out the word "situate" and inserting in lieu thereof the word "situated"

Amend Section 305, page 37, line 15 by striking out the word "clause" and inserting in lieu thereof the word "class"

Amend Section 541, page 57, line 18 by striking out the word "Power" and inserting in lieu thereof the word "power"

Amend Section 542, page 58, line 12 by striking out the word "days" and inserting in lieu thereof the word "days"

Amend Section 712, page 76, line 13 by striking out the word "describe" and inserting in lieu thereof the word "prescribe"

Amend Section 935, page 97, line 15 by striking out the word "he" and inserting in lieu thereof the word "the"

Amend Section 939, page 99, line 3 by inserting after the word "any" the word "written"

Amend Section 941, page 99, line 15 by striking out the words "attorneys in fact" and inserting in lieu thereof the words "attorneys-in-fact"

Amend Section 963, page 106, line 4, by striking out the words "interest" and inserting in lieu thereof the word "interests"

Amend Section 964, page 106, line 18 by inserting after the word "security" the word "or"

Amend Section 1085, page 125, line 3 by striking out the word "interest" and inserting in lieu thereof the word "interests"

Amend Section 1111, page 130, line 3 by striking out the word "ancilliary" and inserting in lieu thereof the word "ancillary"

Amend Section 1401, page 139, line 9 by inserting after the word "and" the word "of"

Amend Section 1401, page 141, line 2 by inserting after the word "thereof" the following "Section 46 (I) on notice of filing of trustees' accounts"

On the question,

Will the House concur in the amendments made by the Senate.

Mr. LEE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Lovett,	Rosen,
Amarando,	Gaffney,	Madigan,	Rovansek,
Andrews,	Gallagher,	McCormack,	Royer,
Bane,	George,	McCullough,	Sarraf,
Barkdoll,	Gibson,	McGee,	Sax,
Baumunk,	Glembocki,	McKinney,	Scanlon,
Beaver,	Good,	McMillen,	Schmidt,
Bednarek,	Goodling,	McNally,	Schuster,
Blair,	Graybill,	Mihm,	Scott,
Bloom,	Green,	Mikula,	Seyler,
Boles,	Grenwood,	Miller,	Shoemaker,
Bomberger,	Greer,	Milliken,	Smith, C. C.,
Boorse,	Guarnieri,	Mills,	Smith, W. B.,
Bower,	Guthrie,	Mintess,	Snider,
Brandon,	Hagerty,	Monroe,	Sollenberger,
Breisch,	Hall,	Moore, C. E.,	Spencer,
Breth,	Hamilton,	Moore, H. A.,	Stank,
Brice,	Harney,	Moran,	Sternberg,
Brown, H. S.,	Harris,	Munley,	Stimmel,
Brown, W. E.,	Haudenshield,	Murray,	Stuart,
Brunner,	Heatherington,	Musto,	Swope,
Bucchin,	Helm,	Nagel,	Tahl,
Cadwalader,	Herman,	Najaka,	Taylor,
Clapper,	Hewitt,	Needham,	Thompson,
Clendening,	Hocker,	Neff,	Tompkins,
Cochran,	Hoffman,	Nixon,	Toomey,
Cole,	Hoggard,	O'Dare,	Varallo,

Coleman,	Hunter,	O'Donnell,	Varner,
Conway,	Jenkins,	Olsen,	Verona,
Cooper,	Jennings,	Orban,	Wachhaus,
Costa,	Jim,	Penglase,	Wagner,
Dalrymple,	Johnson,	Pentrack,	Wargo,
DeLong,	Jones, G. E.,	Peta,	Waterhouse,
Dennison,	Jones, J. M.,	Petrosky,	Watkins,
Depuy,	Jump,	Pettigrew,	Weidner,
Dougherty,	Kamyk,	Pfaff,	Weiss,
Driscoll,	Keller,	Polen,	Welsh,
Duffy,	Kemp,	Posta,	Wescott,
Dye,	Kent,	Powers,	Westrick,
Elder,	Kirley,	Price, H. W., Jr.,	Wheeler,
Erb,	Kline,	Price, R. A.,	Williams,
Evans,	Kohl,	Propert,	Wood,
Ewing,	Kolankiewicz,	Readinger,	Worley,
Felton,	Kondrath,	Reagan,	Yaffe,
Ferster,	Kratz,	Reese,	Yeakel,
Filo,	Kurtz,	Reidenbach,	Yester,
Firmstone,	Lederer,	Reilly, J. M.,	Yetzer,
Flack,	Lee,	Reynolds,	Young,
Fleming,	Leisey,	Riley, R. L.,	Ziegler,
Floyd,	Leonard,	Robbins,	Sorg,
Fox,	Limper,	Robertson,	Speaker
Frank,	Loftus,	Rose,	

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 7.

An Act to amend section two of the act, approved the seventeenth day of March, one thousand nine hundred twenty-five (P. L. 34), entitled "An act regulating the sale of oysters at retail," making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, lines 12 and 13 by striking out after the word "act" the following words "or any rule, regulation or order made pursuant to this act"; page 2 line 14, by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the words "fifty dollars ($50)"; page 2, line 17 by striking out the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "thirty (30)"; page 2, line 19 by striking out after the word "be" the words "sentenced to" and inserting in lieu thereof the words and figures "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"; page 3, by striking out lines 3, 4, 5 and 6.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. H.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8.

An Act to further amend section five of the act, approved the eleventh day of March, one thousand nine hundred nine (P. L. 15), entitled "An act relating to non-alcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded non-alcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, last line of title, by striking out after the word "first" the words "and second".

Amend Section 1, page 3, line 3, by striking out after the word "act" the words "or any rule regulation or order made pursuant to this act"; page 3, line 6, by striking out after the word "exceeding" the words and figures "two hundred dollars ($200)" and inserting in lieu thereof the words and figures "fifty dollars ($50)"; page 3, line 9, by striking out after the word "than" the words and figures "sixty (60)" and inserting in lieu thereof the word and figures "thirty (30)"; page 3, line 11 by striking out after the word "be" the words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the following "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, R. A.,	Wheeler,
Evans,	Kohl,	Price, H. W., Jr.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker.

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 9.

An Act to further amend section three of the act, approved the eighth day of June, one thousand nine hundred eleven (P. L. 712), entitled "An act relating to milk; providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk and cream; providing penalties for the violation thereof; and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 2, line 15 by striking out after the word "act" the words "or any"

Amend Section 3, page 2, line 16 by striking out the words "rule regulation or order made pursuant to this act"

Amend Section 3, page 2, line 18 by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the words "fifty dollars ($50)"

Amend Section 3, page 3, line 3 by striking out after the word "than" the words "sixty (60)" and inserting in lieu thereof the words "thirty (30)"

Amend Section 3, page 3, line 5 by striking out after the word "be" the words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the following words "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,

Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 10.

An Act to amend section four of the act, approved the third day of March, one thousand nine hundred twenty-five (P. L. 10), entitled "An act relating to fruit syrups, and prohibiting the manufacture, sale, offering for sale, exposing for sale or having in possession with intent to sell, of any adulterated or misbranded fruit syrups, and providing penalties for the violation thereof; and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15 by striking out the words "or any rule regulation or order made pursuant to this act"

Amend Section 1, page 3, line 1 by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the words "fifty dollars ($50)"

Amend Section 1, page 3, line 4 by striking out after the word "than" the words "sixty (60)" and inserting in lieu thereof the words "thirty (30)"

Amend Section 1, page 3, line 6 by striking out after the word "be" the words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the words "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 11.

An Act to amend section three of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 929), entitled "A supplement to an act, approved the twenty-first day of March, one thousand nine hundred twenty-three, entitled 'An act for the prevention of fraud and the protection of the public health; relating to milk, cream or skimmed milk, whether or not condensed, evaporated, concentrated, dried, powdered, or desiccated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated, and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof'; defining condensed, concentrated, and evaporated skimmed milk, and compounds thereof; regulating the manufacture, sale, and exchange thereof; and providing penalties," making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 11 by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the following words "fifty dollars ($50)"

Amend Section 1, page 3, line 14 by striking out after the word "than" the words "sixty" (60)" and inserting in lieu thereof the words "thirty (30)"

Amend Section 1, page 3, line 16 by striking out after the word "be" the following words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the words "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. H.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 12.

An Act to amend section four of the act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28) entitled "An act for the prevention of fraud and the protection of the public health; relating to milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, dried, powdered, or desiccated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed; concentrated and evaporated milk; stipulating penalties for the infraction thereof, and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 5, by striking out after the word "act" the words "or any rule regulation or order made pursuant to this act"; page 3, line 7, by striking out after the word "exceeding" the words and figures "two hundred dollars ($200)" and inserting in lieu thereof the words and figures "fifty dollars ($50)"; page 3, line 10, by striking out after the word "than" the words and figures "sixty (60)" and inserting in lieu thereof the words and figures "thirty (30)"; page 3, line 12, by striking out after the word "be" the words and figures "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the words and figures "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 13.

An Act to amend section three of the act, approved the tenth day of July, one thousand nine hundred nineteen (P. L. 900), entitled "An act relating to eggs, prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, eggs, for and as fresh, that are not fresh eggs, or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs; prescribing certain duties of the Dairy and Food Commmissioner in reference thereto; and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendment., in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 16, by striking out after the word "or" the words "any rule regulation or order made pursuant to this act"; page 3, line 2, by striking out after the word "exceeding" the words and figures "two hundred dollars ($200)" and inserting in lieu thereof the words and figures "fifty dollars ($50)"; page 3, line 5, by striking out after the word "than" the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "thirty (30)"; page 3, line 7, by striking out after the word "be" the words and figures "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the words and figures "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,

Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 14.

An Act to amend section one of the act, approved the twenty-eighth day of March, one thousand nine hundred five (P. L. 64), entitled "An act to prohibit the selling, shipping, consigning, offering for sale, exposing for sale, or having in possession with intent to sell, as fresh, any meat, poultry, game, fish, or shell fish which contains any substance or article possessing a preservative or coloring character or action; making the same a misdemeanor; and to prescribe penalties and punishment for violations, and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 14, by striking out after the word "ceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof "fifty dollars ($50)"; page 3, line 17, by striking out after the word "than" the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "thirty (30)"; page 3, line 19, by striking out after the word "be" the following "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the following "imprisonment not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 15.

An Act to amend section twelve of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 670), entitled "An act defining cold storage, and regulating time of storage of certain articles of food, and providing penalties for the violation of the provisions of this act" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 14 by striking out the

words "or any rule regulation or order made pursuant to this act"

Amend Section 1, page 2, line 16 by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the words "fifty dollars ($50)"

Amend Section 1, page 2, line 19 by striking out after the word "than" the words "sixty (60)" and inserting in lieu thereof the words "thirty (30)"

Amend Section 1, page 3, line 2 by striking out after the word "be" the words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the following words "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 16.

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3 by striking out after the word "exceeding" the words "two hundred dollars ($200)" and inserting in lieu thereof the words "fifty dollars ($50)"

Amend Section 1, page 3, line 6 by striking out after the word "than" the words "sixty (60)" and inserting in lieu thereof the words "thirty (30)"

Amend Section 1, page 3, line 8 by striking out after the word "be" the words "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the following words "imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,

Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17.

An Act to amend section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" making first violation of said act summary offenses instead of misdemeanors and changing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 13, by striking out after the word "act" the words "or any rule regulation or order made pursuant to this act"; page 2, line 15, by striking out after the word "exceeding" the words and figures, "two hundred dollars ($200)" and inserting in lieu thereof the following words and figures, "fifty dollars ($50)"; page 2, line 19, by striking out the word and figure "sixty (60)" and inserting in lieu thereof the word and figures, "thirty (30)"; page 3, line 1, by striking out after the second word "be" the words and figures, "sentenced to pay a fine not exceeding five hundred dollars ($500) or in the case of individuals and the responsible officers and agents of corporations and associations to undergo imprisonment not exceeding six months or both" and inserting in lieu thereof the words and figures, "imprisonment not exceeding six (6) months or fined not exceeding five hundred dollars ($500) or both."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling.	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Sorg,
Brice,	Harney,	Moore, H. A.,	Spencer,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenshield,	Munley,	Sternberg,
Brunner,	Heatherington,	Murray,	Stimmel,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hewitt,	Najaka,	Tahl,
Clendening,	Hocker,	Needham,	Taylor,
Cochran,	Hoffman,	Neff,	Thompson,
Cole,	Hoggard,	Nixon,	Tompkins,
Coleman,	Hunter,	O'Dare,	Toomey,
Conway,	Jenkins,	O'Donnell,	Varallo,
Cooper,	Jennings,	Olsen,	Varner,
Costa,	Jim,	Orban,	Verona,
Dalrymple,	Johnson,	Penglase,	Wachhaus,
DeLong,	Jones, G. E.,	Pentrack,	Wagner,
Dennison,	Jones, J. M.,	Peta,	Wargo,
Depuy,	Jump,	Petrosky,	Waterhouse,
Dougherty,	Kamyk,	Pettigrew,	Watkins,
Driscoll,	Keller,	Pfaff,	Weidner,
Duffy,	Kemp,	Polen,	Weiss,
Dye,	Kent.	Posta,	Welsh,
Elder,	Kirley,	Powers,	Wescott,
Erb,	Kline,	Price, H. W., Jr.,	Westrick,
Evans,	Kohl,	Price, R. A.,	Wheeler,
Ewing,	Kolankiewicz,	Propert,	Williams,
Felton,	Kondrath,	Readinger,	Wood,
Ferster,	Kratz,	Reagan,	Worley,
Filo,	Kurtz,	Reese,	Yaffe,
Firmstone,	Lederer,	Reidenbach,	Yeakel,
Flack,	Lee,	Reilly, J. M.,	Yester,
Fleming,	Leisey,	Reynolds,	Yetzer,
Floyd,	Leonard,	Riley, R. L.,	Young,
Fox,	Limper,	Robbins,	Ziegler,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1041.

An Act to amend sections four and eight of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207), entitled "An Act providing when how upon what property and to what extent liens

shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 8, by inserting after the word "authorities" the following words "organized by counties of the second class".

Amend Section 1, page 4, line 11, by inserting after the word "authority" the following words "organized by a county of the second class";

Amend Section 1, page 4, line 13, by inserting after the word "authorities" the following words "organized by counties of the second class";

Amend Section 2, page 5, line 19, by inserting after the word "authority" the following words "organized by a county of the second class".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1045.

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties the powers granted therein clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, last line of title by inserting after the word "counties" the words "of the second class"; page 2, line 4, by inserting after the word "counties" the words "of the second class"; line 6, page 2, by inserting after the word "authorities" the words "organized by counties of the second class"

Amend Section 1, page 3, line 9, by inserting after the word "counties" the words "of the second class"; page 3, line 16, by inserting after the word "counties" the words "of the second class"; page 3, line 17, by inserting after the word "authorities" the words "organized by counties of the second class"; page 4, line 9, by inserting after the word "county" the words "of the second class"; page

5, line 4, by inserting after the word "county" the words "of the second class"; page 5, line 12, by inserting after the word "county" the words "of the second class";

Amend Section 2, page 6, line 2, by inserting after the word "county" the words "of the second class"; page 6, line 8, by inserting after the word "county" the words "of the second Class"; page 6, line 15, by inserting after the word "county" the words "of the second class"; page 7, line 5, by inserting after the word "county" the words "of the second class"; page 7, line 11, by inserting after the word "county" the words "of the second class"; page 7, line 14, by inserting after the word "authority" the words "organized by a county of the second class"; page 8, line 6, by inserting after the word "county" the words "of the second class".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Sorg,
Brice,	Harney,	Moore, H. A.,	Spencer,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenshield,	Munley,	Sternberg,
Brunner,	Heatherington,	Murray,	Stimmel,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hewitt,	Najaka,	Tahl,
Clendening,	Hocker,	Needham,	Taylor,
Cochran,	Hoffman,	Neff,	Thompson,
Cole,	Hoggard,	Nixon,	Tompkins,
Coleman,	Hunter,	O'Dare,	Toomey,
Conway,	Jenkins,	O'Donnell,	Varallo,
Cooper,	Jennings,	Olsen,	Varner,
Costa,	Jim,	Orban,	Verona,
Dalrymple,	Johnson,	Penglase,	Wachhaus,
DeLong,	Jones, G. E.,	Pentrack,	Wagner,
Dennison,	Jones, J. M.,	Peta,	Wargo,
Depuy,	Jump,	Petrosky,	Waterhouse,
Dougherty,	Kamyk,	Pettigrew,	Watkins
Driscoll,	Keller,	Pfaff,	Weidner,
Duffy,	Kemp,	Polen,	Weiss,
Dye,	Kent,	Posta,	Welsh,
Elder,	Kirley,	Powers,	Wescott,
Erb,	Kline,	Price, H. W., Jr.,	Westrick,
Evans,	Kohl,	Price, R. A.,	Wheeler,
Ewing,	Kolankiewicz,	Propert,	Williams,
Felton,	Kondrath,	Readinger,	Wood,
Ferster,	Kratz,	Reagan,	Worley,
Filo,	Kurtz,	Reese,	Yaffe,
Firmstone,	Lederer,	Reidenbach,	Yeakel,
Flack,	Lee,	Reilly, J. M.,	Yester,
Fleming,	Leisey,	Reynolds,	Yetzer,
Floyd,	Leonard,	Riley, R. L.,	Young,
Fox,	Limper,	Robbins,	Ziegler,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM JOINT STATE GOVERNMENT COMMISSION

Mr. HAUDENSHIELD presented a report on behalf of the Joint State Government Commission, March, 1949, dealing with "Historical Buildings, Sites and Remains in Pennsylvania", copies of which are available to the Members at the office of the Chief Clerk.

(For report, see Appendix)

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 4, 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 11, 1949, at four o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvenes on Monday, April 11, 1949, at four-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 189.

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made

HOUSE BILL No. 533.

An Act to add section two hundred seventy-eight point one to the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners.

HOUSE BILL No. 598.

An Act to amend section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary

HOUSE BILL No. 793.

An Act to further amend section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the catching and taking of terrapin on Sunday.

HOUSE BILL No. 883.

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending.

HOUSE BILL No. 1004.

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport

With the information that the Senate has passed the same without amendment.

MEMBER CONGRATULATED

The SPEAKER. The Chair is pleased to note the presence in the Hall of the House today, in his usual place, the gentleman from Monroe, Mr. Coleman. The Chair wishes to commend him for his faithful attendance to duty, having just yesterday evening been involved in a very serious accident. The Chair is pleased to see him with us today.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I well remember during the month of May in 1945 I was unfortunate enough to have a serious automobile accident in the County of Monroe and I believe the gentleman, Mr. Coleman, came to the hospital to pay his respects, to wish me recovery, and I greatly appreciated his efforts at that time.

I am pleased to note that it will be unnecessary for me to visit the gentleman at the hospital since he does not seem to have incurred the same injury or injury to the same extent that I did. I am certainly pleased to see him today attending to his tasks.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I appreciate the cordial sentiments expressed by the Majority Leader. I only hope that it will not be necessary for us on this side of the House to request police protection for members of the minority as they come and go to the Legislature in order that we may not be ridden down by a majority party bureaucrat.

Mr. BRUNNER. Mr. Speaker, may I assure the gentleman that we will not in any way interfere with the egress and ingress of the members of the minority side of the House to Harrisburg, until such time as their majority is 105 in the House, which I trust will never occur.

ANNOUNCEMENT

The SPEAKER. The Speaker has been requested by Chairman Dr. Melvin M. Forney to announce that buses to take the members to the Federated Legislative Committee luncheon will leave from the plaza at the center front door entrance of the Capitol promptly at the 12:15 recess today and these buses will bring the members back after lunch.

Members of the house are cordially invited to attend the luncheon whether you have a ticket or not.

For those who go in their own cars, the place of the luncheon is Fifth Street Methodist Church at Fifth and Granite Streets (1700 block on fifth).

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1070, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by correcting an error in the salary of the coroner.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 254 entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganiizng the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants

and employes of certain departments boards and commissions shall be determined" by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRETH offered the following amendments:

Amend Sec. 1 (Sec. 1803), page 4, line 7, by inserting after the word "purposes" the following: "No lease entered into by the Department of Forests and Waters covering any hunting camp or cabin site, shall be cancelled by the Commonwealth other than for the non-payment of rent, violation of some rule or regulation of the department, or when the site is required for some public or departmental use."

Amend Sec. 1 (Sec. 1803), page 4, lines 13 to 19, by striking out the words "All Leases or Renewals of Leases EXE-" in line 13, and all of lines 14 to 19.

Amend Sec. 1 (Sec. 1803), page 5, lines 1 to 10, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BRETH offered the following amendments:

Amend Sec. 2 (Sec. 1806), page 6, line 5, by inserting after the word "public" the following: "No lease entered into by the Department of Forests and Waters covering any hunting camp or cabin site, shall be cancelled by the Commonwealth other than for the non-payment of rent, violation of some rule or regulation of the department, or when the site is required for some public or departmental use."

Amend Sec. 2 (Sec. 1806), page 6, lines 10 to 20, by striking out the words "All Leases or Renewals" in line 10, and all of lines 11 to 20.

Amend Sec. 2 (Sec. 1906), page 7, lines 1 to 6, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 363 entitled:

An Act to amend section twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by changing the amount of the county annuity to which a beneficiary is entitled upon retirement for superannuation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 460 entitled:

An Act to reenact, amend and revise the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 538 entitled:

An Act to amend section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state associations and the time to be spent at such meetings and providing for the payment of dues of such associations by counties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 577 entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring approval of State Council of Education and county boards of school directors before creation or affecting boundaries of third and fourth class districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 597 entitled:

An Act to further amend section two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by requiring additional signatures on petitions for incorporation in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 762 entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1107 entitled:

An Act to amend sections three hundred sixteen and three hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school systerm including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the method of filling vacancies in the boards of school directors in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 5, Printer's No. 276,
Senate Bill No. 63, Printer's No. 167,
Senate Bill No. 160, Printers No. 40,
Senate Bill No. 218, Printers No. 148,
Senate Bill No. 561, Printers No. 156,
Senate Bill No. 565, Printers No. 159 and
Senate Bill No. 654, Printers No. 166

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 566, as follows:

An Act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operale highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Departments of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That this act may be cited as the "State Highway and Bridge Authority Act"

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean the body politic and corporate created by this act

(b) The term "Department" shall mean the Department of Highways as the same exists under the Administrative Code of one thousand nine hundred twenty-nine or as it may exist by amendment of said code

(c) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to construct reconstruct improve maintain equip furnish or operate under the provisions of this act

(d) The term "Board" shall mean the governing body of the Authority

(e) The term "person" shall mean and include natural persons firms associations corporations business trusts partnerships and public bodies

(f) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(g) The term "bonds" shall mean and include the notes bonds and other evidences of indebtedness or obligations which the Authority is authorized to issue pursuant to section four (i) of this act

(h) The term "construction" shall mean and include acquisition construction and reconstruction the term "to construct" shall mean and include to acquire to construct and to reconstruct all in such manner as may be deemed desirable

(i) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(j) The terms "equipment" "facilities" and "furnishings" shall mean and include any equipment and furnishings whatsoever as may be deemed desirable and required by the Department of Highways for the use of such project and the terms "to equip" or "to furnish" shall mean and include the installation of such equipment furnishings and facilities

Section 3 State Highway and Bridge Authority The Governor of the State the State Treasurer the Auditor General the Secretary of Internal Affairs the Secretary of Highways the Speaker of the House of Representatives and the President pro tempore of the Senate the minority leader of the Senate the minority leader of the House of Representatives and their respective successors in office and three citizens of Pennsylvania one to be appointed by the Governor one by the Speaker of the House of Representatives and one by the President pro tempore of the Senate are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of "The State Highway and Bridge Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members The term of the member appointed by the Governor shall expire with the term of the Governor appointing him The terms of the two other appointed members shall expire on the first Tuesday of January of the odd-numbered year following the date of their appointment Any vacancy happening among the appointed members of the Authority shall be filled by appointment by the Governor Speaker of the House of Representatives or President pro tempore of the Senate as the case may be

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing reconstructing improving equipping furnishing maintaining and operating State highways bridges viaducts toll bridges tunnels traffic circles on State highways maintenance sheds offices and garages and roadside rests (any and all of the foregoing being herein called "projects") The Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire under agreement with the Department of Highways with the approval of the Governor State highway bridges easements or rights of way necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease from the department any property real personal or mixed or any interest therein now owned or hereafter acquired by the Commonwealth of Pennsylvania with the approval of the Governor for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania or to the Department of Highways any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

(e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority not exceeding forty million dollars ($40,000,000) in the aggregate and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That no project shall be undertaken by the Authority hereunder unless and until the plans and specifications therefor have been submitted to and approved by the Department of Highways

Provided further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its political subdivisions nor shall the Commonwealth nor any of its political subdivisions be liable for the payment of principal of or interest on such obligations

Section 5 Cooperation with Department of Highways The Authority and the Department of Highways are hereby authorized to enter into agreements providing for mutual cooperation between them in the use of employes equipment and services incidental to the construction maintenance and operation of projects

Provided however That the Motor License Fund shall not be obligated for the payment of any sum or amounts in furtherance of the activities authorized by this act except and in accordance with the terms of agreements as herein authorized

Section 6 Purposes and Powers Bonds The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding thirty (30) years from their respective dates bear interest at such rate or rates not exceeding four per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids the notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals the name of the officer to whom bids or proposals shall be delivered and a statement of the terms and conditions of sale provided that any of said bonds may be sold to the State Employes' Retirement board school employes' retirement board or to any other custodial board or fund or to the State Employes' Retirement Fund without advertisement or competitive bidding Pending the preparation of the definitive bonds interim receipts or temporary bonds may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues rentals or receipts of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement equipping furnishing maintenance and repair of any project or projects and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the

bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls rentals and other charges for use of the facilities of or for the services rendered by the Authority including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any tolls rentals or other charges are payable (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

The Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues rentals or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (i) the construction improvement operation equipping furnishing maintenance and repair of any project or projects and the duties of the Authority with reference thereto (ii) the application of funds and the safeguarding of funds on hand or on deposit (iii) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have the qualities of negotiable instruments under the law merchant and the negotiable instrument law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty (30) days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may (except as such right be limited under the provisions of any deed of trust indenture or other agreement as aforesaid) appoint a trustee to represent the bondholders for the purposes herein provided Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(a) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(b) bring suit upon the bonds

(c) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(e) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed or trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may (to the same extent that the Authority itself could so do) enter and take possession of the facilities of the Authority or any parts thereof the revenues rentals or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustees the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default Such trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

In addition to all other rights and all other remedies any holder of bonds of the Authority shall have the right by mandamus or other suit action or proceeding at law or in equity to enforce his rights against the Authority including the right to require the Authority to collect fees rental and other charges adequate to carry out any agreement as to or pledge of such fees rentals or other charges or income revenues and receipts and to require the Authority to carry out any of its covenants and agreements with the bond holders and to perform its and their duties under this act Provided however That nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board Within ninety (90) days after this act shall become effective the board shall meet and organize by electing from their number a president a treasurer and a secretary At the first regular meeting in each year thereafter they shall elect from their number a president a treasurer and a secretary

Seven (7) members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other pur-

poses and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of A county of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such person or persons as the Authority may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth or its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

Section 10 Grants of Lands by Department to Authority The department shall have power and authority with the approval of the Governor to grant assign and convey to the Authority with or without consideration any lands easements or rights in lands together with any improvements buildings or structures therein or thereon now owned by the Commonwealth of Pennsylvania or hereafter acquired by it needed or convenient for the corporate purposes of the Authority or to lease to the Authority for a term not exceeding ninety-nine (99) years at a nominal or such other rental as may be determined any or all such lands easements or rights in lands together with any improvements structures or buildings therein or thereon

Section 11 Contracts to Lease and Leases by Department from Authority The department shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any or all of the projects undertaken by the Authority for a term with respect to each project constructed not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of the said projects the department shall have power and authority with the approval of the Governor to lease as lessee any or all of the projects completed by the Authority for a term with respect to each project leased not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority

Section 12 Acquisition of Lands Whenever additional lands or interests in lands are required by the Authority for promoting its corporate purposes the Department of Highways with the approval of the Governor shall have power and authority to acquire such lands by purchase or condemnation in the name of the Commonwealth and the procedure for acquiring such lands or interests in lands and for the payment of the resultant damages by the department for the taking by condemnation shall be in accordance with the provisions of the State Highway Law in such case made and provided The power hereby conferred upon the department shall not limit or restrict the power of the Authority itself to acquire lands or interests in lands in the name of the Authority

Section 13 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed equipped or furnished pursuant to a contract and the estimated cost thereof exceeds five hundred dollars ($500.00) such contract shall be awarded to the lowest responsible bidder after advertisement for bids The Authority may make rules and regulations for the submission of bids and the construction equipping furnishing or improvement of any project or portion thereof Such rules and regulations may provide for the submission of bids to the Department of Highways as agent for the Authority as provided in section five of this act No contract shall be entered into for construction equipping furnishing or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract and such contracts shall also be accompanied by an additional bond for the protection of those who furnish labor and material in such amount and subject to the same terms and conditions as required by the State Highway Law on contracts for the construction of State highways Nothing in this section shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable as may be requested by any Federal agency that may assist in the financing of such project or any part thereof

Section 14 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings such lands or interests in land as the Authority may deem necessary for any of the purposes mentioned in this act Provided however that where condemnation proceedings are necessary to acquire such land or interests in land the necessary action for acquisition and for the ascertainment and payment by it of the property damages resulting from the taking shall be in accordance with the provisions of the State Highway Law governing the taking of land or interests therein for the improvement of State highways

Section 15 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefit

Section 16 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction of any project

or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction of any project or such portion thereof

Section 17 Exemption from Taxation The effectuation of the authorized purpose of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the Authority will be performing essential governmental functions in effectuating such purposes the Authority shall not be required to pay any taxes upon any property acquired or used by it for such purposes and the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 18 Appropriation So much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act is hereby appropriated for such purposes

Section 19 Constitutional Construction The provisions of this act shall be severable and if any of the provisions thereof shall be held unconstitutional such decisions shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 20 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 180, as follows:

An Act to add section four hundred fifty-two to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the alws relating thereto" authorizing such counties to appropriate money to incorporated nonsectraian boys and girls clubs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 498) is hereby further amended by adding at the end thereof a new section to read as follows

Section 452 Aid to Incorporated Non-sectarian Boys and Girls Clubs The board of county commissioners of any county may provide and appropriate from any moneys in the county treasury not otherwise appropriated annually such sum or sums as they deem necessary toward the maintenance of any non-sectarian boys or girls club incorporated under the laws of this Commonwealth or of the United States the purposes and aims of which tend to promote the health welfare character and citizenship of the members and the general well-being of the people of th county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 280, Printer's No. 324

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 282, as follows:

An Act to amend sections eight hundred fifteen and eight hundred twenty-five of Article VIII of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting target shooting during the big game season extending hunting privilege revocation periods for shooting at wounding or killing human beings in mistake for wild creatures and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred fifteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

(c) Controlling Shooting During Big Game Season

Section 815 Certain Shooting During Big Game Season Prohibited It is unlawful for any person during the open season for taking big game to (a) shoot at any mark or target other than legal birds or animals with a firearm of any kind or a bow and arrow except at a properly constructed target or mark or a dead tree protected by a natural or artificial barrier so that the ball or bullet or arrow cannot travel more than fifteen yards beyond the target aimed at after making due allowance for deflection in any direction not to exceed an angle of forty-five degrees which target shooting shall be lawful only when done within [two] one hundred yards of the camp or [other headquarters] a permanent place of abode where such person is quartered or is an invited guest or visitor or (b) to discharge any firearm or arrow at random in the general direction of any human being or in the general direction of any wild bird or animal for the purpose of routing or frightening the same or (c) to discharge any firearm or arrow at random or in any other manner contrary to the provisions of this section

Provided however That the provisions of this section shall not be construed to apply in any manner to the discharge of any firearm for the sole purpose of signalling for aid or assistance while in distress or to the use of rifle or pistol ranges owned leased or maintained by a State or Federal military or police organization or by any regularly organized rifle pistol or shotgun shooting association or club while shooting at a regularly established and properly safeguarded range or to any public shooting exhibition properly safeguarded and conducted under the direction of any organization for the promotion of marksmanship

Each person violating any of the provisions of this section shall upon conviction be sentenced to pay a fine of [ten] twenty-five dollars and costs of prosecution

Section 2 Section eight hundred twenty-five of said act is hereby amended to read as follows

(e) Shooting Human Beings in Mistake

Section 825 Shooting at Human Beings in Mistake It is unlawful for any person while using a firearm of any kind or a bow and arrow to either shoot at wound or kill a human being in mistake for either game or a wild creature of any description Provided however That no person shall be held to have violated the provisions of this section who while actually shooting at any game or wild creature shall accidentally shoot in the direction of or injure or kill another person

Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction or entering a plea of guilty or a plea of nolo contendere of such offense shall forfeit the firearm or other weapon used and shall for each offense be sentenced to pay the penalties [herein provided] hereinafter provided and costs of prosecution

(a) Shooting at Human Beings in Mistake Every person who shall shoot at a human being in mistake in violation of the provisions of this section but who shall not injure the human being shot at shall [, upon conviction for the first offense] be sentenced to pay a fine not exceeding five hundred dollars and in addition to such fine shall be denied the right to hunt or trap in this Commonwealth with or without a license for a period of [two] five years from the date of conviction to be noted upon the record of conviction as part of the sentence

(b) Wounding Human Beings in Mistake Every person who shall in violation of any provision of this section wound but not kill such human being shall [, upon conviction for the first offense] be sentenced to pay to the party so injured a penalty not exceeding one thousand dollars and shall in addition to such cash penalty be im-

prisoned for a period not exceeding one year and in addition thereto shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of [five] ten years from the date of such conviction to be noted upon the record of conviction as a part of the sentence

(c) Killing Human Beings in Mistake Every person who shall in violation of any of the provisions of this section kill a human being in mistake shall [upon conviction for the first offense] be sentenced to pay a penalty to the personal representative of the deceased of not to exceed two thousand dollars and shall in addition to such cash penalty imposed suffer imprisonment not to exceed five years and such person in addition thereto shall be permanently denied the right to hunt or trap anywhere within this Commonwealth with or without a license [for a period of ten years after the date of such conviction] to be noted upon the record of his conviction as a part of the sentence.

(d) Additional Penalties Every person convicted of either or any of the before-mentioned offenses who shall for any reason fail to pay the cash penalty and the costs of prosecution imposed by this section for the specified offenses committed shall for [the first] each offense in addition to any other term of imprisonment imposed by this section undergo an imprisonment of one day in jail for each dollar of penalty imposed Provided That no term of imprisonment suffered in lieu of any cash penalty imposed by this section shall exceed [one] two years

Every person who shall hunt or trap or attempt to hunt or trap with or without a license in this Commonwealth contrary to any sentence imposed for violation of any provision of this section shall upon conviction be sentenced for each offense to undergo imprisonment in the county jail of the county in which the conviction is secured for a period of not less than three months or more than six months

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tabl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 403, Printer's No. 231,

House Bill No. 498, Printer's No. 296 and

House Bill No. 526, Printer's No. 514

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 537, as follows:

An Act to further amend section sixteen of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as last amended by the act approved the twentieth day of April one thousand nine hundred twenty-one (P. L. 152) is hereby further amended to read as follows

Section 16 The provisions of this act shall be enforced by the Department of Health of the Commonwealth of Pennsylvania and for that purpose the [Commissioner of Health] Secretary of Health is hereby authorized to make such rules and regulations as may be deemed necessary for the proper enforcement of this act and to establish in the Department of Health a bureau or division for such

purpose and to employ such assistants stenographers inspectors clerks and other employes as in his opinion may be necessary and to fix their compensation For the purpose of enforcing the provisions of this act the [Commissioner of Health] Secretary of Health and his assistants either in said bureau or division or any other bureau or division of his department shall have the right to examine at any time any or all of the records required by this act to be kept and the [Commissioner of Health] Secretary of Health may further require persons dealing in buying selling handling or giving away drugs to make such reports to him or to the bureau aforesaid as he may deem necessary or advisable This section shall not be construed to exclude the other duly constituted authorities in this Commonwealth from enforcing the provisions of this act

The [Commissioner of Health] Secretary of Health shall appoint subject to the approval of the Governor in each instance inspectors in said bureau who shall be authorized and empowered to make arrests without warrant for all violations of this act by any person or persons who are not taxed as legal dealers in opium et cetera by the Government of the United States

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 628, as follows:

An Act to amend section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows:

Section 417 Permits for Roadside Menageries The commission may grant permits for roadside menageries which are hereby defined as any place where one or more wild animals are kept in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for the evident purpose of exhibition or attracting trade

The term "roadside menagerie" shall not include the exhibition of any animal by any educational institution or in any zoological garden or in connection with any county fair theatrical exhibition [or] circus or any such exhibition which sponsored by any sportsmen's organization with the aproval of the Pennsylvania Game Commission The term "wild animal" as used in this section shall mean any animal wild by nature as distinguished from the common domestic animals whether or not such animal was bred or reared in captivity

No permit shall be granted by the commission until it is satisfied that the provisions for housing and caring for such wild animals and for protecting the public are proper and adequate and in accordance with the standard therefor established by the commission

The commission shall adopt and enforce rules and regulations for the housing care treatment feeding and sanitation of wild animals kept in roadside menageries and for the protection of the public from injury by such wild animals

It is unlawful for any person to keep any wild animal in captivity upon any street or highway or upon land public or private adjoining any street or highway or upon land public or private in the vicinity of any commercial establishment for exhibition or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose unless a permit has been issued by the commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 780, Printer's No. 375

was passed over at the request of the SPEAKER.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 824, as follows:

An Act to amend the Act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An Act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing additional methods of collecting per capita taxes in school districts of the second class requiring the filing of returns and the furnishing of information by employers and by those subject to the tax imposing on employers the duty of collecting the tax at source and by making a husband liable for his wife's tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventy-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 679 Per Capita Taxes Each resident or inhabitant over twenty-one years of age in every school district of the second third and fourth class which shall levy [such] a per capita tax shall annually pay for the use of the school district in which he or she is a resident or inhabitant a per capita tax of not less than one dollar nor more than five dollars as may be assessed by the local school district [Every husband against whose wife a per capita tax is levied shall be liable for the payment of such tax] Every husband whose wife is subject to a per capita tax levied under the provisions of this act shall be liable for the payment of his wife's tax and every return and every payment of tax made by or on behalf of a married man shall include his wife's per capita tax The liability of a husband for his wife's tax shall be in addition to the liability of a married woman for her own tax Collection thereof from such husband may be made and enforced in the manner provided by law for the collection and enforcement of payment of other taxes owing by such husband including the collection thereof from the husband's employer

Section 2 Said act is hereby amended by adding after section six hundred eighty thereof a new section to read as follows

Section 680.1 Collection of per capita taxes districts second class (a) definitions the following words when used in this section shall have the following meanings

"Employer" shall mean an individual copartnership association corporation governmental body unit or agency or any other entity who or that regularly employs one or more persons either full time or for most of such person's working time on a salary wage commission or other compensation basis one who so employs any person for more than six (6) months in any calendar year shall be deemed an employer within this act

"Non-resident" as applied to employers shall mean an employer who maintains an office or place of business outside a school district of the second class which imposes a per capita tax under this act but within the Commonwealth of Pennsylvania

"Person" shall mean every natural person and whenever used in any clause prescribing and imposing a penalty the term person as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Resident" shall mean any person domiciled in a school district of the second class which imposes a per capita tax under this act as applied to employers it shall mean an employer who maintains an office or place of business in a school district of the second class which imposes a per capita tax

"Taxpayer" shall mean a person subject to a per capita tax levied under the provisions of this act

(b) Collection at Source In addition to any other method now provided by law for the collection of per capita taxes the board of school directors in every school district of the second class may by a resolution adopted at the time it levies a per capita tax for the following fiscal year require that every employer within such school district of the second class who employs one or more persons on a salary wage or commission basis shall on or before September 1 of each year make a return to the collector of school taxes of said school district of the second class on a form to be obtained from said collector The form shall set forth the name and residence

of each employe of said employer who resides within the school district of the second class levying the tax the name of such employe's spouse if any and the amount of tax owing by such employe and spouse if any The board of school directors of any school district of the second class may require a similar return to be made by any non-resident employer who is believed to have in his or its employ any employe residing in the school district of the second class levying a tax under this act If an employer making a return under this act has no employe residing in the school district levying the tax he shall so state in his return

An employer who deducts and transmits the tax owing by his employes shall be entitled to two per centum (2%) of the amount so deducted for his services

Any resident or non-resident employer making such a return shall deduct from the salary wages or commissions payable to any employe residing in the school district levying the tax the amount of per capita tax owing by such employe to the school district and shall transmit the same with said return to the collector of school taxes of the school district The failure or omission by any employer to make such return or pay such tax shall not relieve the employe from the payment of such tax or from the necessity of making a proper return as required by this act

(c) Investigative Power The collector of school taxes in any school district of the second class or any agent or employe authorized by him in writing is hereby authorized to examine the books papers and records of any resident or non-resident employer or supposed employer of residents of the school district of the second class levying a tax in order to verify the correctness of any return made by such employer or if no return was made in order to secure the data which a correct return would have disclosed Every such employer or supposed employer is hereby directed and required to give to said collector of school taxes or other duly authorized agent or employe or either of them the means facilities and opportunities for such examinations and investigations as are authorized by this act The collector of school taxes in performing his duties under this act is hereby authorized to examine any person under oath and to this end he may compel the production of books papers and records and the attendance of all persons before him whether as parties or witnesses whom he believes to have knowledge of matters under investigation.

(D) Violation Penalties Any person who shall fail neglect or refuse to make any return required by this section or who shall fail neglect or refuse to pay a per capita tax levied by any school district of the second class or any person who shall refuse to permit the collector of school taxes or any agent or employe appointed by him in writing to examine his books records and papers or who shall knowingly make any incomplete false or fraudulent return or who shall attempt to do anything whatever to avoid the full disclosure of pertinent information required by the collector of school taxes or any employer who fails to turn over promptly to the collector of school taxes the moneys deducted from the compensation of any resident employe on account of taxes payable by such employe shall upon summary conviction thereof be sentenced to pay a fine of twenty-five dollars ($25) and costs for each such offense or to undergo imprisonment for not more than ten (10) days for the nonpayment of such fine or penalty and costs The failure of any employer or taxpayer to receive or procure a return form shall not excuse him from making a return

(e) Rules and Regulations The board of school directors of any school district of the second class imposing a per capita tax may make and adopt such reasonable rules and regulations not inconsistent with the provisions of this section as may be considered necessary or advisable for the proper administration thereof

Section 3 This act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Altshuler,	Gaffney,	Lovett,	Rose,
Amarando,	Gallagher,	Madigan,	Rosen,
Andrews,	George,	McCormack,	Royer,
Bane,	Gibson,	McCullough,	Sarraf,
Barkdoll,	Glembocki,	McGee,	Sax,
Baumunk,	Good,	McKinney,	Scanlon,
Beaver,	Goodling,	McMillen,	Schmidt,
Bednarek,	Graybill,	McNally,	Schuster,
Blair,	Green,	Mihm,	Scott,
Bloom,	Greenwood,	Mikula,	Seyler,
Boles,	Greer,	Miller,	Shoemaker,
Bomberger,	Guarnieri,	Milliken,	Smith, C. C.,
Boorse,	Guthrie,	Mills,	Smith, W. B.,
Bower,	Hagerty,	Mintess,	Snider,
Brandon,	Hall,	Monroe,	Sollenberger,
Breisch,	Hamilton,	Moore, C. E.,	Spencer,
Breth,	Harney,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Moran,	Sternberg,
Brown, H. S.,	Heatherington,	Munley,	Stimmel,
Brown, W. E.,	Helm,	Murray,	Stuart,
Brunner,	Herman,	Musto,	Swope,
Bucchin,	Hewitt,	Nagel,	Tahl,
Cadwalader,	Hocker,	Najaka,	Taylor,
Clapper,	Hoffman,	Needham,	Thompson,
Clendening,	Hoggard,	Neff,	Tompkins,
Cochran,	Hunter,	O'Dare,	Toomey,
Coleman,	Jenkins,	O'Donnell,	Varallo,
Conway,	Jennings,	Olsen,	Varner,
Cooper,	Jim,	Orban,	Verona,
Costa,	Johnson,	Penglase,	Wachhaus,
Dalrymple,	Jones, G. E.,	Pentrack,	Wagner,
DeLong,	Jones, J. M.,	Peta,	Wargo,
Dennison,	Jump,	Petrosky,	Waterhouse,
Depuy,	Kamyk,	Pettigrew,	Watkins,
Dougherty,	Keller,	Pfaff,	Weidner,
Driscoll,	Kemp,	Polen,	Weiss,
Duffy,	Kent,	Posta,	Welsh,
Dye,	Kirley,	Powers,	Wescott,
Elder,	Kline,	Price, H. W., Jr.,	Westrick,
Erb,	Kohl,	Price, R. A.,	Wheeler,
Ewing,	Kolankiewicz,	Propert,	Williams,
Felton,	Kondrath,	Readinger,	Wood,
Ferster,	Kratz,	Reagan,	Worley,
Firmstone,	Kurtz,	Reese,	Yaffe,
Flack,	Lederer,	Reidenbach,	Yeakel,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,	Limper,	Robbins,	Sorg,
Frost,	Loftus,	Robertson,	Speaker

NAYS—7

Cole,	Filo,	Nixon,	Yester,
Evans,	Harris,	Rovansek,	

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 875, Printer's No. 241 and

House Bill No. 877, Printer's No. 376

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 943, as follows:

An Act relating to the propagation and growth of nut trees and other trees bearing crops excluding our present commercial fruit trees in this Commonwealth providing for the appointment qualifications term and compensation of an Expert Tree Crops Advisor prescribing his powers and duties imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Agriculture is hereby authorized and directed to appoint as an Expert Tree Crops Advisor a person who shall meet the qualifications as to education experience and knowledge relative to the propagation or growing of trees bearing crops especially nut trees as the said secretary shall determine Such person so appointed shall hold office during the pleasure of the said secretary and until a successor is appointed and shall receive such compensation as shall be fixed by the said secretary and in addition shall be paid all expenses incurred incident to the performance of the duties hereinafter imposed

Section 2 The Expert Tree Crops Advisor so appointed shall have the power and shall perform the following duties

(1) To ascertain in what locality and which type of nut trees and other trees bearing crops except our present commercial fruit trees can be successfully propagated and grown in this Commonwealth

(2) To visit each year all the leading experimenters in the State conducting private experiments and procure the results of their experiments

(3) To assimilate all information received from such private experimenters and all literature or information received from any research experimental and educational programs conducted in other states and disseminate all such information available to the general public after first having made permanent records thereof and filed same with the Department of Agriculture

(4) To conduct a research program for the furnishing procuring and planting of native nut tres and other trees bearing crops excepting our present commercial fruit trees and the possibilities of growing same for food feed and commercial purposes

(5) To render general assistance and aid to various independent nut and tre crop growers who are conducting private experiments and research so that the results gained therefrom may be made available to the general public and to the Department of Agriculture

(6) To systematically record the results gleaned from such research experimental and educational programs so conducted whether privately or not and make such records easily accessible for dissemination and

(7) To do and perform any and all duties and acts to effectuate the purposes and aims of this act

Section 3 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture for the payment of the compensation and expenses of the Expert Tree Crops Advisor herein appointed and other incidental expenses necessary to carry out the purposes of this act for the fiscal biennium commencing the first day of June one thousand nine hundred forty-nine

Section 4 The provisions of this act shall become ecective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altahuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 966, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg providing for the development of the said property and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania the hereinafter described property located within the City of Harrisburg County of Dauphin State of Pennsylvania owned by Clyde E Peters and William H Peters and which is within the area designated by the Commonwealth of Pennsylvania as constituting part of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in said City and which property under the provisions of section thirteen of the Act of Assembly approved the eighteenth day of July one thousand nine hundred nine-

teen (P. L. 1049) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the City of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts therefor providing for a proportion of the cost to be paid by the City of Harrisburg and public service corporations using or affected by the building of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act" has been restricted by ordinance of the City of Harrisburg from any use which in the judgment of the State Art Commission shall damage or detract from said bridge

The property to be purchased under the authority of this act is described as follows

Beginning at a point on the northern line of King Street at the western line of lot No 1 on hereinafter mentioned plan of lots thence in a westerly direction along the northern line of King Street one hundred and fifty (150) feet to the eastern line of lot No 7 on the hereinafter mentioned plan of lots thence in a northerly direction and at right angles to King Street one hundred and twenty-seven (127) feet more or less to a point on the center line of the now vacated portion of Royal Terrace (See vacation of Royal Terrace by ordinance No 46 Session of 1936-37 of the City of Harrisburg) thence westwardly along the center line of said vacated portion of Royal Terrace eighty-three (83) feet more or less to a point on the eastern line of the present Royal Terrace thence northwardly and along the eastern line of the present Royal Terrace a distance of forty-six (46) feet more or less to the southern line of State Street thence eastwardly along the southern line of State Street two hundred and four (204) feet more or less to a point on the western line of lot No 1 on the hereinafter mentioned plan of lots thence in a southwardly direction and at right angles to State Street and along the Western line of lot No 1 a distance of one hundred and sixty (160) feet to a point the place of beginning

The above described lots being lots numbered 2 3 4 5 and 6 as in plan of lots laid out by William M Hoerner which plan is recorded in the Office of the Recorder of Deeds in and for Dauphin County in Plan Book K Page 1

Section 2 The said property when acquired shall be deemed a part of the lands constituting the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg and shall be developed in such manner as the Department of Property and Supplies with the approval of the State Art Commission shall determine

Section 3 The said property shall not be acquired until the title thereto has been approved by the Department of Justice the deed of conveyance after approval of the Department of Justice shall be deposited with the Department of Internal Affairs

Section 4 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the purchase price of said property and expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1037, Printers No. 461 and

House Bill No. 1061, Printer's No. 521

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1097, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for transportation of pupils at the expense of the district and for reimbursement of the district by the Commonwealth for furnishing transportation to pupils

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one thousand three hundred twelve clause (5) of section one thousand three hundred thirty and sections one thousand three hundred thirty-one and two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1312 Free transportation where schools closed in [fourth and third class districts in townships] certain districts in any district of the fourth class or any district of the third class which is located wholly within the boundary lines of a township or any district of the third class having an area of not less than ten (10) square miles which was formerly a township and which has become a borough elementary school pupils who reside within that part of the school district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Teachers' College and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the elementary school to which they are assigned

Section 1330 Exceptions to compulsory attendance the provisions of this act requiring regular attendance shall not apply to any child who

* * * * *

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township and except in districts of the third class having an area of not less than ten (10) square miles which were formerly townships and which have become boroughs resides two miles or more by the nearest public highway from any public school in session and no proper free transportation is furnished to such child to and from school

Section 1331 Free transportation or board and lodging in case there is no public school with the proper grades in session within two miles by the shortest public highway of the residence of any child in a school district of the fourth class or in a township which is a school district of the third class or in a district of the third class having an area of not less than ten (10) square miles which was formerly a township and which has become a borough such child shall be furnished proper transportation at the expense of the school district to and from a school with the proper grades when it is not feasible to provide such transportation the board of school directors may in lieu thereof with the approval of the Department of Public Instruction pay for suitable board and lodging for any such child

Section 2541 Payments on account of pupil transportation school districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction in addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township and districts of the third class having an area of not less than ten (10) square miles which were formerly townships and which have become boroughs for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State Teachers' College and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township and districts of the third class having an area of not less than ten (10) square miles which were formerly townships and which have become boroughs for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them

(4) To all school districts for pupils transported to and from approved consolidated elementary schools or approved consolidated junior high schools or approved joint consolidated schools or approved vocational district schools

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,

Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper.	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1294, as follows:

An Act to add subsection (c) to section one thousand three hundred seventy-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain proviisons applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by requiring supervision of the Department of Public Instruction over schools for the deaf and schools for the blind receiving payments from the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred seventy-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 1376 Cost of Tuition and Maintenance of Certain Handicapped Children in Approved Institutions

* * * *

(c) All schools for the deaf and all schools for the blind receiving any Commonwealth money either for tuition or maintenance of any child who is deaf or who is blind or as an appropriation for State-aid shall be subject to the supervision of the Department of Public Instruction

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the Authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the authority shall be tax exempt.

On the question,

Will the House agree to the bill on third reading?

Mr. BRUNNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 13, page 19, line 1, by striking out the bracket after the word "or" and before the word "otherwise."

Amend section 13, page 19, line 2, by striking out the bracket after the word "contract" and before the word "by."

Amend section 13, page 19, line 2, by striking out at the end of the line after the word "contract" the following: "by agreement with the Federal or State Government or any."

Amend section 13, page 19, by striking out line 3.

The SPEAKER. Will the House five unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

Senate Bill No. 245, Printer's No. 338,
Senate Bill No. 246, Printer's No. 339,
Senate Bill No. 459, Printer's No. 208,
Senate Bill No. 485, Printer's No. 306 and
Senate Bill No. 543, Printer's No. 185

were passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained the unanimous consent to address the House.

Mr. Speaker, I desire to inform the membership on both sides of the House that it may be necessary when we reconvene to offer a discharge resolution; a resolution discharging the Committee from the custody of the F.E.P.C. bill. I am therefore hoping that there will be a generous attendance, because the issue involved is of great moment to people of this Commonwealth and of great moment to the political leaders of both parties, who have made definite commitments in connection with this type of legislation.

RECESS

The SPEAKER. If there is no objection the Chair will now declare a recess until two o'clock P. M. The Chair desires to remind the Members that there will be buses in front of the Capitol to take them to the luncheon.

The Chair hears no objection and declares a recess until two o'clock P. M.

AFTER RECESS

The SPEAKER. The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

Mr. WORLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WORLEY. Mr. Speaker, I would like to have unanimous consent to speak for and in favor of the FEPC legislation.

The SPEAKER. The gentleman is not in order at this time. The Chair requests the gentleman to yield till that order of business arrives. The gentleman will be recognized at that time.

SECOND DISTRICT OF EASTERN PENNSYLVANIA QUOTA CLUB INTERNATIONAL WELCOMED

The SPEAKER. The Speaker is pleased to welcome to the House today ladies representing the second district of Eastern Pennsylvania Quota Club International.

They are the guests of Dr. M. Louise Rutherford, a Deputy Attorney General of the Pennsylvania Department of Justice, who is also Chairman of the Committee on Legislation and Public Affairs of the Quota Club and Mrs. Marian Markley, Secretary to Congressman Lichtenwalter, former Speaker of this House and a member of the Committee on Legislation.

READING HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House members of the class in "American Democracy" of the Reading High School under the supervision of Prof. Norman C. Brillhart. They are the guests of the gentleman from Berks, Mr. Readinger.

RADNOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also pleased to welcome to the Hall of the House the pupils of the ninth grade of the Radnor High School, Delaware County. This visit was organized and sponsored by Mr. Albert Swing, treasurer of Radnor Township, and Miss Carter, principal; Miss Encke, Mr. Prevost, Mr. Bellifonte, Mr. Mitchell and Mr. Teel. They are the guests of the delegation from Delaware County.

MAYOR OF PITTSBURGH WELCOMED

The SPEAKER. The Chair is also pleased to welcome Honorable David Lawrence, Mayor of the city of Pittsburgh.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair also welcomes to the House, a former Member, the gentleman from Philadelphia, Honorable William Upsher.

BILL INTRODUCED AND REFERRED

By Mr. CADWALADER. HOUSE Bill No. 1319.

An Act to amend sections four and ten of the act, approved the second day of July, one thousand nine hundred and forty-seven (P. L. 1199), entitled "An Act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution

and use of the proceeds thereof requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by decreasing the amount of the permanent tax imposed thereunder; by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof.

Referred to the Committee on Ways and Means.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 189.

An Act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeitures recognizances, and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation and providing procedures for transmission and settlement of certain moneys.

Referred to the Committee on Judiciary.

SENATE BILL No. 270.

An Act providing for the oral examination of judgment debtors for the purpose of discovering whether such persons have property which may be made subject to execution on the judgment and conferring powers to compel attendance and examination of such persons upon court of record.

Referred to the Committee on Judiciary.

SENATE BILL No. 283.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Mt. Pocono Airport Authority certain property located in Monroe County and commonly known as the Mt. Pocono Airport."

Referred to the Committee on State Government.

SENATE BILL No. 306.

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" permitting contributors to change from the one, one-hundred-sixtieth (1-160) to the one, one-hundreth (1-100) class providing for obtaining full benefits by contributors heretofore or hereafter making such change and imposing duties on the board in respect thereto.

Referred to the Committee on State Government.

SENATE BILL No. 366.

An Act relating to public records of political subdivisions other than cities and counties of the first class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photograph microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions.

Referred to the Committee on Judiciary.

SENATE BILL No. 409.

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes.

Referred to the Committee on Education.

SENATE BILL No. 474.

An Act providing for the payment of the compensation medical and hospital expenses of employes of cities of the second class who are injured in the performance of their duty and providing that absence during such injury shall not reduce any sick leave periods authorized by law or regulation.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 571.

An Act to further amend section two hundred two of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof, providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commis-

sion, and for the burden of proof upon such appeals; prescribing penalties, fines, and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," increasing salaries of the chairman and the members of the commission.

Referred to the Committee on State Government.

SENATE BILL No. 577.

An Act to amend section three hundred twenty-six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing that stock issued upon any increase of capital made by any stock insurance company may be exchanged for stock of another insurance company without the right of stockholders of the issuing company to subscribe to such new stock where the terms and conditions of such exchange are approved by the Insurance Commissioner after a hearing.

Referred to the Committee on State Government.

SENATE BILL No. 579.

An Act to amend section four hundred twenty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the salaries of the chairman and members of the Pennsylvania Securities Commission.

Referred to the Committee on State Government.

SENATE BILL No. 588.

An Act making an appropriation to the Pennsylvania Aeronautics Commission for the payment of certain moral claims and providing for the hearing adjustment and payment of moral claims of persons whose property is damaged through negligence of employes of the Commission.

Referred to the Committee on Appropriations.

SENATE BILL No. 601.

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties uopn boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employes.

Referred to the Committee on Education.

SENATE BILL No. 657.

A Supplement to the act, approved the first day of June, one thousand nine hundred forty-three (P. L. 798), entitled "An act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine, New Hampshire, Massachusettts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida, and with such other states as may join, to promote the better utilization of the fisheries, marine, shell and anadromous of the Atantic Seaboard, and to create the Atantic States Marine Fisheries Commission; providing for the members of such commission from the State of Pennsylvania; providing for the carrying out of said compact; and making an appropriation," by authorizing the Governor to enter into an amendment of the Atlantic States Marine Fisheries Compact; providing that two or more states may constitute their representatives on such commission as a joint agency for the regulation of specific fisheries in which they have a common interest, and may delegate to such agency such responsibility and duties as they may mutually agree upon.

Referred to the Committee on State Government.

SENATE BILL No. 655.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies, associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued, assumed or guaranted by International Bank for Reconstruction and Development.

Referred to the Committee on Insurance.

SENATE BILL No. 660.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for, the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

Referred to the Committee on Appropriations.

SENATE BILL No. 661.

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction and furnishing of building space to be used for instruction and dormitory purposes, in the training and housing of nurses who are in training in the University or serving in the hospitals; comprising the Medical Center of the University of Pittsburgh and also those nurses employed and in training in the Western State Psychiatric Institute and Clinic.

Referred to the Committee on Appropriations.

SENATE BILL No. 711.

An Act to further amend subsection (d) of section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by stating under what circumstances sureties shall be discharged from liability.

Referred to the Committee on Judiciary.

SENATE BILL No. 721.

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by prohibiting any dredging operations deemed inimical to the project.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 725.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P .L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain procedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots and eliminating expired provisions.

Referred to the Committee on Public Utilities.

SENATE BILL No. 729.

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P .L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the

court of common pleas of Dauphin County exclusive original jurisdiction over certain procedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation by towing of wrecked or disabled motor vehicles and eliminating expired provisions.

Referred to the Committee on Public Utilities.

SENATE BILL No. 755.

An act to further amend section four hundred twenty-seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the salaries of members of the State Athletic Commission.

Referred to the Committee on State Government.

SENATE BILL No. 763.

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof, grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

Referred to the Committee on Education.

SENATE BILL No. 768.

An Act to add clause (v) to section two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the establishment of an extension museum pertaining to war history by the Pennsylvania Historical and Museum Commission and the Department of Military Affairs.

Referred to the Committee on State Government.

SENATE BILL No. 769.

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

Referred to the Committee on Judiciary.

SENATE BILL No. 781.

An Act to amend the title and the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 884) entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties where such husband and wife as subsequently divorced providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced and directing the distribution of the proceeds of such sale" by providing for the creation of a tenancy in common upon divorce

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Mr. LEE. RESOLUTION No. 53.

In the House of Representatives, April 5, 1949.

Whereas, Under Senate Resolution, Serial Number 46, adopted, March 13, 1945, the Joint State Government Commission was requested to study, revise and prepare for reenactment the Orphans' Court Partition Act, the Orphans' Court Act, the Revised Price Act, the Wills Act, the Register of Wills Act, the Intestate Act, and the Fiduciaries Act, together with all of their supplements and amendments and all separate laws that should be incorporated therein and to present them for the consideration of the General Assembly; and

Whereas, The Will Act and the Intestate Act, together with all their supplements and amendments, and a number of related laws, have been studied, revised, reenacted by the General Assembly and approved by the Governor; and

Whereas, The Fiduciaries Act together with all its supplements and amendments has been studied, revised and prepared for reenactment and presented for the consideration of the General Assembly; and

Whereas, Because it is highly important and of great moment that the remaining decedents' estate laws of this Commonwealth be studied and revised in order to better adapt them to present day needs and promote the more efficient administration of decedents' estates; therefore be it

Resolved, That the Joint State Government Commission is hereby requested, during the interim between the present session of the General Assembly and the regular biennial session of 1951, to further study, revise and prepare for reenactment the Orphans' Court Partition Act, the Orphans' Court Act, the Revised Price Act, the Register of Wills Act together with all of their supplements and all separate laws that should properly be incorporated therein, and to present them for the consideration of the General Assembly at its next session.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 144.

An Act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards, commissions, or offices to proceed by injunction or any other process in the Court of Common Pleas in any County where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction; and to set out the method and procedure therefor.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 7.

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 8.

An Act to further amend section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 9.

An Act to further amend section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 10.

An Act to amend section four of the act approved the third day of March one thousand nine hundred twenty-five (P. L. 10) entitled "An act relating to fruit syrups and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded fruit syrups and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 11.

An Act to amend section three of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 929), entitled "A supplement to an act, approved the twenty-first day of March, one thousand nine hundred twenty-three, entitled 'An act for the prevention of fraud and the protection of the public health; relating to milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, dried, powdered, or desiccated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated, and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof;' defining condensed, concentrated, and evaporated skimmed milk, and compounds thereof; regulating the manufacture, sale, and exchange thereof; and providing penalties," making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 12.

An Act to amend section four of the act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28), entitled "An act for the prevention of fraud and the protection of the public health; relating to milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, dried, powdered, or desiccated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated and evaporated milk; stipulating penalties for the infraction thereof, and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 13.

An Act to amend section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 14.

An Act to amend section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any substance or article possessing a preservative or coloring character or action making the same a misdemeanor and to prescribe penalties and punishment for violations and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors and changing penalties.

HOUSE BILL No. 15.

An Act to amend section twelve of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 670), entitled "An act defining cold storage, and regulating time of storage of certain articles of food, and providing penalties for the violation of the provisions of this act" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 16.

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 17.

An Act to amend section two of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties" making first violation of said act summary offenses instead of misdemeanors and changing penalties

HOUSE BILL No. 1041.

An Act to amend sections four and eight of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located.

HOUSE BILL No. 1045.

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties the powers granted therein clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made.

SENATE BILL No. 11.

An Act to amend section one thousand three hundred twenty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing financial responsibility for education of migratory children on school districts in which such children are temporarily domiciled.

SENATE BILL No. 60.

An Act to amend section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for reimbursement by the Commonwealth for transportation of pupils in case of consolidation of certain school districts with other districts.

SENATE BILL No. 61.

An Act to amend section five hundred five and clause (4) of section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by redefining consolidated schools and providing for approval of consolidated or joint consolidated schools and vocational district schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

SENATE BILL No. 66.

An Act to amend section seven hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making provisions relative to solicitation of bids where school plant or any part of same becomes unusable applicable at any time.

SENATE BILL No. 68.

An Act to amend section one thousand seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the management of joint schools or joint school departments by a joint school committee providing for the formation of such a cmmittee and imposing duties and conferring powers upon the same.

SENATE BILL No. 232.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Allison Clinton County Pennsylvania with the approval of the Governor.

SENATE BILL No. 351.

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consodilate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers.

SENATE BILL No. 428.

An Act making the title acquired by a political subdivision on condemnation a fee simple title except in certain cases.

SENATE BILL No. 523.

An Act to further amend sections ten and fifteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An

act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that certain claims may be signed by or have stamped thereon, the facsimile signature of the chief of the delinquent tax bureau.

SENATE BILL No. 551.

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasure of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

SENATE BILL No. 603.

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

SENATE BILL No. 604.

An Act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns.

HOUSE BILL No. 144.

An Act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor

HOUSE BILL No. 189.

An Act to amend the title and section one of the act. approved the twenty-second day of March, one thousand eight hundred sixty-five (P. L. 30), entitled "An act to authorize, and make valid, conveyances by wives, during their minority, of their interests in their husband's real estate," authorizing minor husbands to join in conveyances of their wife's real estate, and to validate such conveyances heretofore made.

HOUSE BILL No. 533.

An Act to add section two hundred seventy-eight point one to the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursement to counties for maintenance of prisoners.

HOUSE BILL No. 598.

An Act to amend section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary

HOUSE BILL No. 793.

An Act to further amend section two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the catching and taking of terrapin on Sunday.

HOUSE BILL No. 795.

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and presonal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries.

HOUSE BILL No. 883.

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending

HOUSE BILL No. 1004.

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township, York County, Pennsylvania, necessary for the development of the Harrisburg Airport.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 176

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 176, Printer's No. 43, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

COMMUNICATION AND BILL LAID ON TABLE

Mr. BRUNNER. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. STUART from the Committee on Welfare, reported as amended, House Bill No. 511, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, and institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city department of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further providing for the care of physically infirm or chronically ill persons receiving public assistance in institutions, homes or other places operated by institution districts; requiring payment of part of the cost of such care by the public agency from whom such persons were receiving assistance; and imposing duties and conferring powers on the Department of Welfare, institution districts and certain public agencies in connection therewith.

Mr. JOHNSON from the Committee on Judiciary, reported as amended, House Bill No. 1105, entitled:

An Act requiring persons, associations, partnerships, corporations and their agents, herein defined as Dealers engaging in the business of buying, receiving, selling, exchanging, negotiating or soliciting the sale, re-sale, exchange or transfer of junk, scrap iron, used or second hand iron, steel, copper, brass, lead, aluminum or other metal; used or second hand wire, rope, rails of iron, steel or other metal, or cables, except in cities of the first class, to be registered by the sheriff; providing for the revocation or suspension of such registration; imposing a registration fee; imposing certain duties on such dealers and their agents; conferring powers and duties on Sheriffs, Chief of Police of Political sub-divisions, Pennsylvania State Police; and the Attorney General of Pennsylvania; prescribing penalties and punishments for violation of this act, and the means and method of its enforcement; regulating certain matters of evidence in such procedure; providing appeals.

BILL ON THIRD READING

Mr. GOODLING. Mr. Speaker, I desire to call up House Bill No. 526, Printer's No. 514, on page 15 of today's calendar, bills on third reading,

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 526, as follows:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulations of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Wherever used in this act unless the context clearly determines otherwise the following words and phrases shal have the meanings ascribed to them in this section

(1) "Board" the Pennsylvania State Apple Board created by this act

(2) "Fund" the Apple Promotion Fund created and established by this act

(3) "Person" individual partnership limited partnership association corporation cooperative and business trust

(4) "Producer" every person engaged in the business of growing producing and harvesting apples and selling apples or apple products

Section 2 (a) There is hereby created within the Department of Agriculture a board to be known as the Pennsylvania State Apple Board The board shall be composed of seven members representing as nearly as possible all the important apple producing sections of the Commonwealth In addition the Secretary of Agriculture and the Secretary of Commerce shall be ex officio members of the board

(b) The Pennsylvania State Horticultural Association shall submit to the Governor as often as may be necessary an dwithin thirty (30) days after the effective date of this act for the original appointments nominations for appointment to such board the number of which nominations shall be at least twice the number of appointments to be filled The Governor shall make all appointments from such nominations submitted unless the Pennsylvania State Horticultural Association shall fail to submit nominations and in such event the Governor shall make appointments of bona fide apple producers Vacancies in the membership of the board shall be filled in like manner

(c) Appointments to the board shall be for terms of four (4) years except in the case of the appointment of the original membership which shal be as follows one member for one (1) year two members for two (2) years two members for three (3) years and two members for four (4) years Appointments to fill vacancies shall be for the unexpired terms.

(d) The board shall elect one of its membership as chairman and one as vice-chairman who shall serve in the chairman's place in his absence

Five members shall constitute a quorum for the conduct of its business

(e) The members of the board shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

(f) The Attorney General shall furnish the board with such legal services as it may require

(g) Except as otherwise herein expressly provided the board shall be subject to the provisions of The Administrative Code of 1929 its amendments and supplements which apply generally to independent administrative boards

Section 3 The board shall have the following powers and duties

(1) To conduct scientific research to develop and discover the health food therapeutic and dietetic value of apples and apple products

(2) To plan and conduct educational advertising publicity sales promotion and research campaigns for the purpose of increasing the use and demand for apples

(3) To make and execute contracts

(4) To spend the moneys in the fund

(5) To investigate and ascertain the needs of apple producers the condition of their markets and the extent to which public convenience and necessity require advertising and research to be conducted

(6) The board shall have authority to cooperate with other state regional and national agricultural and horticultural organizations and State and Federal agencies in research on production packages and marketing advertising publicity education and other means of promoting the sale and use of apples and to expend moneys of the Apple Promotion Fund for such purposes

(7) To appoint an Executive Secretary and such other employes as may be necessary and to fix their salaries subject to the provisions of The Administrative Code of 1929 its amendments and supplements

(8) To delegate to its chairman vice-chairman or any of its members or employes such powers and duties as it deems proper

(9) To cooperate with all branches of State county and municipal governments the Pennsylvania State College and trade or business associations to achieve the purposes of this act

(10) To register producers and collect the fees and fines provided by this act

(11) To make alter rescind and amend rules regulations and orders necessary to carry out its powers and duties

(12) To enforce through its authorized agents the provisions of this act

(13) To accept and dispose of gifts of real and personal property to carry out the purposes of this act

(14) To do all other acts necessary to administer this act and effectuate its purposes

Section 4 There is hereby levied on all commercial apples grown in Pennsylvania and moved into the channels of commerce beginning with the harvest of one thousand nine hundred forty-nine a tax of one cent ($.01) per bushel Such tax shall be paid by the producer of such apples at the time and in the manner hereinafter provided The first five hundred (500) bushels of apples sold by any person in any one crop season shall be exempt form the provisions of this section.

Section 5 Every producer of commercial apples shall submit to the board not late rthan fourteen (14) days after December thirty-first of each year a signed statement of all apples sold by him between July first and December thirty-first of said year Such reports shall be made on forms prescribed and furnished by the board Any producer who sells apples of the preceding year's production after December thirty-first shall file a signed statement with the board not later than June thirtieth showing such apples so sold by him and the tax paid thereon

Section 6 The tax levied by this act shall be due and payable as follows Fifty per cent (50%) not later than December thirty-first of each year and the balance not later than June thirtieth of the following year Any commercial apples of a crop season which are sold after June thirtieth of the following year shall be reported to the board and the tax paid thereon within twenty (20) days after the end of the month in which such sale was made Such tax shall be paid to the Pennsylvania State Apple Board and the board shall promptly pay said moneys to the State Treasurer who shall promptly pay them into the State Treasury to the credit of the Apple Promotion Fund

Section 7 The producer shall keep a complete record of apples sold by him and shall preserve such recard for a period of not less than two (2) years from the time such apples are sold Such records shall be open to the inspection of the board and its duly authorized agents

Section 8 The tax imposed by this act and unpaid on the date on which such tax was due and payable shall bear interest at the rate of one per cent (1%) per month from and after such due date until payment If any producer defaults in any payment of the tax or interest thereon the amount shall be collected by civil action in the name of the State of Pennsylvania at the relation of the board and the person adjudged in default shall pay the cost of such action The Attorney General at the request of the board shall forthwith institute action in the proper court for the collection of the amount of any tax past due under this act including interest thereon

Section 9 All moneys levied and collected under the provisions of this act shall be credited on the State Treasurer's books to a fund to be known as the "Apple Promotion Fund" which is hereby created All moneys credited to the Apple Promotion Fund are hereby appropriated by the Legislature for the purpose herein set forth and shall be used exclusively for the administration and enforcement of this act including the collection of taxes the payment for personal services and expenses of employes and agents of the board and the payment of rent service materials and supplies necessary to effectuate the purposes and objects of this act The unexpended balance of the Apple Promotion Fund at the end of each biennium shall not be transferred to the General Fund of the State Treasury

Section 10 Any person who violates any provisions of this act or any rule or regulation of the board promulgated hereunder for a first offense upon summary conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than thirty (30) nor more than sixty (60) days and for any subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

Section 11 All fines imposed and recovered for violations of this act shall be paid to the board and all such moneys and all moneys collected from fines or otherwise acquired shall be paid by the board into the State Treasury through the Department of Revenue and deposited in the fund

Section 12 It shall be the duty of all State and county law-enforceing officers to assist in the enforcement of this act

Section 13 If any clause sentence or section of this act shall for any reason be adjudged by a court of competent jurisdiction to be invalid such adjudication shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence or section of this article directly involved in the controversy in which said adjudication shall have taken place

Section 14 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania State Apple Board for the fiscal biennium one thousand nine hundred forty-nine one thousand nine hundred fifty-one (1949-1951) to carry out the provisions of this act All moneys expended by the board from such appropriation shall be repaid to the General Fund out of moneys available in the Apple Promotion Fund and for such purpose moneys in such fund are hereby appropriated

Section 15 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. Speaker, I rise with some fear in my heart to say anything about this bill, because I believe of all the Members in this House there is no one less qualified to speak on apple raising than I will be.

I also recognize the fact that the sponsor of this bill, in whom I have the greatest confidence in his judgment generally, has only one thought in mind, and that is to further the apple industry in the great Commonwealth of Pennsylvania, and with that I would be very much in accord.

However, I rise only to caution the House that we are stepping forward on a program today in enacting this bill by creating another commission, a commission, if you gentlemen please, that will attempt to regulate an industry in Pennsylvania, another hamstringing of industry generally. If we were to have an apple commission why not a nut commission, a wheat commission, a corn commission and every other thing that we could grow. In my opinion, and I believe in the opinion of

many people of this Commonwealth, this is in direct opposition to the theory of government which propounds the theory of free enterprise. I think this is the type of legislation that we should not pass in Pennsylvania. I feel on the other hand that we should oppose this particular type of legislation. I think we have enough regulation in this Commonwealth. I certainly would oppose the passage of this measure at this time.

Mr. GOODLING. Mr. Speaker, first of all I appreciate the statement of the gentleman from Allegheny, Mr. Fleming. I have the same feeling toward him that he has expressed toward me.

One thing that he says, that we are probably establishing a precedent here, may be right. My answer to that would be that if we are establishing a good precedent I have no fear at all about establishing it. I am not at all fearful of other organizations coming in and asking for the same consideration and legislation for this reason, of all the different types of agriculture there is none other that compares with the apple industry in Pennyslvania. A man can get into the poultry business overnight; a man can get into the dairy business overnight. It is not a good policy to do that, I realize.

I can raise one hundred bushels of potatoes this year and next year I might have none, but fruit growing, apple growing is a long time proposition—you can't get into it overnight. You may go eight or ten years without any returns, and in that time economic conditions can change a great deal.

I would like further to reply to the gentleman and say this, that the apple industry is always willing to solve its own problems rather than lean on governmental support. We have plenty of precedent for this particular bill. The State of Washington, which is a competitor of ours, spends annually a half million dollars in advertising. The State of California spends three million dollars on its citrus industry; Florida spends two million; and Texas spends a half million dollars, and there are others as we go down the line that spend similar amounts of money.

I would like further to state that the apple industry in Pennsylvania is a very important part of our agriculture. We stand fourth in the nation in production, and if you think it is a small industry, in 1945, the last figures that I have available—when we had a small crop—in that particular year, the Department of Agriculture estimates that this industry, this particular crop was worth something over fifteen million dollars.

In addition to that, in our neighboring counties we have millions of dollars tied up in processing plants. The machinery that goes to fruit farmers is very extensive and very expensive also.

So, all in all, this is a most important industry in Pennsylvania, and as I have shown you, we are not undertaking to establish a precedent. Other states have it. For example, Maryland, Virginia and West Virginia have it at the present time, Michigan is now operating in this way, and at the present time there is pending in the Ohio Legislature a similar bill. Also since this bill has been entered here, I have had requests from New Jersey and Illinois for copies of the bill. I do not think it is establishing a precedent here, and as I said previously, if it is a good precedent let us adopt it. I ask the Members of the House to give this serious consideration before casting their vote.

Mr. NAGEL. Mr. Speaker, I want to say here, as was said on the other side, that I entertain very high respect for the sponsor of this bill, Mr. Goodling, in his attempted efforts to enhance the value of the apple industry of our great state. However, I would like to interrogate Mr. Goodling.

The SPEAKER. Will the gentleman from York, permit himself to be interrogated?

Mr. GOODLING. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, would the gentleman mind telling us what benefits to the general public of our state would be derived by the enactment of this piece of legislation?

Mr. GOODLING. Mr. Speaker, we hope to give the general public a better product through the enactment of this legislation.

Mr. NAGEL. Mr. Speaker, in improving the apple product, is there not ample information and instruction imported by our state and the federal government to sufficiently improve the apple industry so that it may ably compete with the same industry in other states of this nation, or even in other countries?

Mr. GOODLING. Mr. Speaker, I just said a little while ago that other states in the United States have this type of legislation operating at the present time.

Mr. NAGEL. Will the gentleman kindly tell us how long this arrangement has been working in other states?

Mr. GOODLING. Mr. Speaker, in the state of Washington, which was the first, I believe—I do not know the exact time, but it has been operating for several years.

I would like to say while I am on Washington that they are paying five cents a bushel to market their apples and we are asking one cent. The state of Michigan has had a similar bill in operation for a great length of time. Maryland, Virginia and West Virginia—as I recall now, the Virginia act was enacted about four years ago, Maryland about two years ago and Virginia about two years ago.

Mr. NAGEL. Mr. Speaker, may I ask to what extent the apple industry of Pennsylvania will suffer in case this piece of legislation is not enacted?

Mr. GOODLING. In 1936 the apple industry in this Appalachian belt of which we are a part, saw the need for some work of this particular kind. At that time the four states I have mentioned had organizations. An organization was formed, and the original budget as I recall was twenty thousand dollars, a very small amount for advertising. Out of that results were obtained from that organization so outstanding that it was felt that we needed additional money, and that has been the reason for the introduction of these bills in the state at this time.

Mr. NAGEL. Mr. Speaker, I thank the gentleman for his replies to my questions.

Now, Members of the House, it is far from me to stand in the way of the passage of any bill in this General Assembly that might be to the best interests of the public, but I am wondering, as it has been said before, whether or not in a movement of this kind you are establishing a precedent that might be followed by other industries of our state, and come to such a place when the industries of our state would be so

regulated and so hampered by laws and restrictions that we might call it a state of regimentation. Whether other growers or agricultural groups couldn't come in and ask for the same things.

Now, it has been the western section of our country that has been referred to as great competition in the apple industry, but I am here to say that there is a big space of land that separates Washington state from the state of Pennsylvania, and while Washington can, it must be admitted, produce a more beautiful apple, a more attractive apple than we can produce in Pennsylvania, yet I defy Washington state to produce an apple of the quality that Pennsylvania produces. Furthermore I feel that the quality of the apples is being improved from year to year, and that the appearance of the apple is being improved by the apple industries of our country through the efforts made by our state and federal governments.

I believe the apple industry of Pennsylvania, the men who have joined together to promote this great industry to the welfare of the public is able and can stand on its own feet, without legislation to back it up. I ask the Members of the House to take into consideration these facts and then vote as you see will benefit the most people of our state. I thank you.

Mr. GOODLING. Mr. Speaker, I don't want to keep up this debate very much longer. This legislation, I believe, stands on its own merits. In reply to the gentleman from Beaver, Mr. Nagel, I might say that we have some precedent in the state on this particular thing. Our Milk Control Commission is not exactly similar to this bill, but it does regulate the milk and dairy industry in the state of Pennsylvania. For that reason we have one precedent in our own state.

One other thing I want to mention. There has been some criticism that this will add to the cost to the consumer. There are a lot of farmers in this House. If any of the Members can tell us how the farmers will add to the cost of this product, we will be glad to have you do that. We are still under the impression that it will not add to the cost of the product that we sell, and for that reason it definitely will not add to the cost to the consumer.

Mr. CLAPPER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Goodling.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. GOODLING. I shall, Mr. Speaker.

Mr. CLAPPER. Mr. Speaker, would the gentleman say that this bill is sponsored and desired by the State Fruit Grower's Association as a whole, or by the group only in your county?

Mr. GOODLING. This bill is sponsored by the State Horticultural organization; it is their bill. Being a Member of this House, I have sponsored the bill.

Mr. CLAPPER. Mr. Speaker, could the gentleman tell me about what amount of money the apple bill would bring into the Association in funds?

Mr. GOODLING. Our annual apple crop in Pennsylvania runs between six million and ten million dollars. The normal crop, I would say is in the neighborhood of ten million bushels, which would bring in anywhere from sixty thousand to eighty thousand a year.

Mr. CLAPPER. Could the gentleman tell us just what this money is to be used for?

Mr. GOODLING. Mr. Speaker, as stated in the text of the bill it is used for research. You have probably read the bill and know how it will be administered. We feel that it will be pretty well handled in the hands of this body. I might say, that on this Commission will be the Secretary of Agriculture and Secretary of Commerce.

Mr. CLAPPER. That will be all. I thank the gentleman.

Mr. Speaker, I too have great respect for the sponsor of this bill. I feel that the bill as it has been read by many of the members is a bill that will work a hardship upon many fruit growers of this Commonwealth of Pennsylvania. I represent a county where a large number of fruit growers are at work. The majority of these groups oppose this bill. I realize there are times when funds are needed to increase progress along certain lines of industry, but at the same time I believe that if the Members of the Assembly will acquaint themselves with the work of the Department of Agriculture they will find that every summer, there are many classes held at State College for the benefit of the fruit growers of Pennsylvania. I have attended many of these classes at various times and I have found them to be very valuable instruction. They also teach many of the things that I believe the funds provided for in this bill would be used for at a later date, and I as a representative of a county having a great many fruit growers, would ask the Members of the House to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—97

Andrews,	Gibson,	McCormack,	Rose,
Beaver,	Glembocki,	McCullough,	Sarraf,
Blair,	Goodling,	McGee,	Scott,
Bomberger,	Graybill,	McMillen,	Shoemaker,
Breth,	Greer,	Mikula,	Smith, C. C.,
Brown, W. E.,	Guthrie,	Miller,	Snider,
Brunner,	Hagerty,	Mintess,	Sollenberger,
Cooper,	Hall,	Moore, C. E.,	Spencer,
Costa,	Hamilton,	Moore, H. A.,	Swope,
Dalrymple,	Harney,	Moran,	Tahl,
Dennison,	Haudenshield,	Murray,	Taylor,
Depuy,	Hewitt,	Najaka,	Tompkins,
Dougherty,	Hoffman,	Neff,	Toomey,
Driscoll,	Hunter,	O'Donnell,	Varner,
Dye,	Jenkins,	Olsen,	Wagner,
Elder,	Johnson,	Orban,	Weidner,
Ewing,	Keller,	Pentrack,	Welsh,
Felton,	Kline,	Pfaff,	Wescott,
Ferster,	Kohl,	Readinger,	Worley,
Flack,	Kolankiewicz,	Reagan,	Yeakel,
Floyd,	Kurtz,	Reese,	Yester,
Frank,	Leisey,	Reynolds,	Yetzer,
Frost,	Leonard,	Riley, R. L.,	Sorg,
Gaffney,	Limper,	Robbins,	Speaker
Gallagher,	Loftus,		

NAYS—84

Amarando,	Firmstone,	Mihm,	Scanlon,
Bane,	Fleming,	Mills,	Schmidt,
Barkdoll,	Green,	Monroe,	Schuster,
Bednarek,	Guarnieri,	Munley,	Seyler,
Bloom,	Harris,	Musto,	Smith, W. B.,
Boles,	Heatherington,	Nagel,	Stank,
Boorse,	Herman,	Needham,	Sternberg,
Brandon,	Hocker,	Penglase,	Stimmel,
Breisch,	Jim,	Peta,	Stuart,
Bucchin,	Jones, G. E.,	Petrosky,	Varallo,

Cadwalader,	Jones, J. M.,	Pettigrew,	Verona,
Clapper,	Jump,	Polen,	Wachhaus,
Cochran,	Kamyk,	Posta,	Wargo,
Cole,	Kemp,	Powers,	Weiss,
Coleman,	Kent,	Price, H. W., Jr.,	Westrick,
Conway,	Kirley,	Price, R. A.,	Wheeler,
DeLong,	Kratz,	Propert,	Williams,
Duffy,	Lederer,	Reidenbach,	Wood,
Erb,	Lovett,	Reilly, J. M.,	Yaffe,
Evans,	McKinney,	Rovansek,	Young,
Filo,	McNally,	Royer,	Ziegler,

NOT VOTING—27

Altshuler,	George,	Kondrath,	Robertson,
Baumunk,	Good,	Krise,	Rosen,
Bower,	Greenwood,	Lee,	Sax,
Brice,	Helm,	Madigan,	Thompson,
Brown, H. S.,	Hersch,	Milliken,	Waterhouse,
Clendening,	Hoggard,	Nixon,	Watkins,
Fox,	Jennings,	O'Dare,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION

DISCHARGING COMMITTEE FROM FURTHER CONSIDERATION OF HOUSE BILL No. 975

Mr. ANDREWS offered a resolution which was read and considered as follows:

In the House of Representatives, April 5, 1949.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 975:

An Act prohibiting certain practices of discrimination by employers, employment agencies and labor organizations as herein defined and others because of race, color, religious creed, national origin or ancestry creating the Pennsylvania Fair Employment Practice Commission defining its functions powers and duties providing for the procedure and enforcement and for formulation of an educational program to prevent prejudice providing for judicial review and enforcement imposing penalties and making an appropriation.

Said bill having been referred to the Committee on Labor Relations, on March 3, 1949.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, House Bill 975 does not belong to Representative Mintess; it does not belong to Representative Sax, it does not belong to the Republican party; it does not belong to the Democratic party; it belongs to the people this Commonwealth.

House Bill 975 represents, Mr. Speaker, more than an ordinary political commitment. It represents a solemn promise; it represents a promise made by the Governor of this Commonwealth. It represents a promise made by the Republic party in Pennsylvania; it represents a promise made by the Democratic party.

Mr. Speaker, I well recognize the hesitancy with which many of the Members of the House approach the duty of discharging a Committee. There are unusual features in this situation. I can say to the Democratic Members on this side of the House that while this bill was in the hands of a House Committee prior to the time that the bill was introduced, the Democratic State Committee promised that this bill would be introduced and passed.

I can say to the Republican Members on that side of the House that prior to the time that House Bill 975 was introduced, the Executive Committee of the Republican party, the candidates of the Republican party, the platform of the Republican party promised the people of this Commonwealth that legislation similar to House Bill 975 would be introduced, reported from Committee and duly adopted.

I can say in all sincerity to the Members on both sides of this House that I believe a promise made by the Democratic State Committee and promise made by the Republican Platform Committee and a promise made by the Members of this House as individual candidates takes precedence over any procedure which might ordinarily lead us to refuse to discharge a committee.

Unfortunately it has come about that the expectation that the bill which I accepted and which many of you accepted would be released in the other branch of this General Assembly has fallen, as a result of an adverse vote. Had either branch of this General Assembly released an indifferent or even an unsatisfactory F.E.P.C. bill I would not have been on the floor today. I would have taken my chances with any bill that the other branch of this Assembly would have released for consideration by this chamber and would have taken my chances on my ability to amend it in proper fashion.

I am taking this step today as the only course consistent with the honor, the political honor of the Governor of the Commonwealth, the political honor of the Republican party in this state, and the political honor of the Democratic party. Vain are our promises indeed if this House in its power cannot redeem a promise to which we are all solemnly committed by the parliamentary act of discharging a Committee from further consideration of a bill which was the keystone of the platform which the major parties offered to the people of this Commonwealth.

Mr. MORAN. Mr. Speaker, as a Member of the Labor Relations Committee, I am going to vote for this resolution.

PARLIAMENTARY INQUIRY

Mr. WORLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WORLEY. For the purpose of a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WORLEY. Mr. Speaker, may I speak only in support of the motion or may I speak generally on the bill at this time?

The SPEAKER. The Chair would inform the gentleman from Adams that his remarks must be confined to the resolution and not to the main question, which is not before the House. The bill is in the Committee and not before the House.

Mr. WORLEY. Then I may only speak on the resolution, is that correct, Mr. Speaker?

The SPEAKER. That is correct.

Mr. WORLEY. Mr. Speaker, although I have never made a motion to discharge a Committee of my own party or any Committee during the entire seven years I have been a Member of this Legislature, I am nevertheless voting for this resolution, because I want to see the Fair Employment Practice Act passed, and from my experience in prior session I have found that a motion to

discharge seems to be the only way to get action on this legislation for the promotion of economic justice in our democracy.

Mr. SCHMIDT. Mr. Speaker, during the luncheon period today I had occasion to discuss this proposed resolution with a number of Members of this House of the Republican persuasion. They informed me that they were for the bill but they just found it was impossible for them because of their Republicanism to support a bill to discharge.

I want to say to those people with whom I spoke today as well as to the others who take that same position, that you cannot be for FEPC and oppose this resolution. I also say to you that this is, as Mr. Andrews said, a pledge made by both Republican and Democratic parties, and no individual members, leader or otherwise in this House has any right to demand of you to oppose this motion merely because it is a matter of party policy. Your party policy is to support FEPC, and if you oppose this resolution you oppose FEPC and you can't tell anybody else that you are for it.

Mr. LOVETT. Mr. Speaker, I do not know just how far afield we may go on this resolution. I agree with my Floor Leader, Mr. Andrews, that you have had full and plenty time to consider this motion, because he has threatened it on different occasions. As a Member of the Labor Committee and other Committees of this House, if I may say, we go far afield on legislation; the legislation is not even considered in Committee; not only on this bill, but many others.

I am sorry to find that we offer discharge resolutions on bills that have never been considered in the Committee. Even if we did discharge the Committee and pass a bill in the House of Representatives after the action taken by the upper body, I feel sorry at what will happen.

My complaint here, is not on the motion to discharge the Committee. I have always voted to discharge all Committees from further consideration of legislation, to bring it to the floor of the House and have Members vote their convictions either for or against the legislation—that is my principle. I have fought for that ever since I have been a Member of the General Assembly, but I say to you today that this should be a warning to you to inform your Committee Chairman and our Committees as we sit down and consider legislation not to be in any hurry to have shortcuts in a Democracy, that it is well worth the time we spend here in consideration of this legislation. Let us be fair with ourselves and the Committee. Then if we see fit in Committee, then I say discharge resolutions are in order. So my friends, let us think of what has happened here today so that we may give the rest of the legislation its time for consideration.

Mr. BRUNNER. Mr. Speaker, this is the first motion to discharge a Committee that has been presented to the Membership at this session. I have no doubt that many more will follow in due course.

I think that before I speak further on this question, I would like to take issue with the statement that a vote either for or against this resolution is a vote for or against the merits of the measure. That in my judgment is not correct. We do not even debate the measure or its merits on this resolution.

I would also like to take issue with the gentleman who says that he has at all times supported motions to discharge Committees from consideration of bills. My memory goes back in this House to 1939, and bringing my recollection forward to the 1941 session, at which time I believe his party had a majority on the floor of this House, the gentleman at that time recognized that the one established procedure recognized for generations in this House was for select committees of this House to receive the Member's legislation and to give consideration to it.

I am in a position of saying, as I have said on the floor of this House before, and as I will say again, that the Commonwealth of Pennsylvania and all of its citizens should know by this time that the Governor supports FEPC legislation, that he has openly admitted to the people that it was a part of the platform of the Republican party. I was present during the 1947 session of this legislature, when he did all possible to see that a measure of this type was enacted, and since that time and during this session he has consistently maintained that position.

I think some of you will recall my having stood here then and personally subscribe to that program. But lest there be any misunderstanding, may I say truthfully that as Majority Leader of this House of Representatives, I subscribe to the cause of FEPC legislation, but during the twelve years that I have been a Member of this House I recognize the fact that we have this established legislative procedure. I have recognized that our Committees have been entrusted with the duty to consider this legislation. I have not yet nor has any other legislative body within my recollection superimposed its judgment upon the judgment of any Committee of this House, and therefore, I am consistent with that proposition and that position.

I have no complaint with my good friend from Cambria submitting a motion to discharge a Committee from consideration of a measure sponsored by two major parties. I do not overlook, however, the fact that he himself has a bill before this same Committee.

It takes me back to 1945 when I think the gentleman will remember I had a bill in a House Committee dealing with the subject of oleo—and incidentally I subscribe to the objectives of that measure now as I did then, and the gentleman stood up on the floor of this House and presented a resolution to discharge that Committee from consideration of my bill. And to be consistent as I ought to be and to be as I hope even everyone will be in regard to this resolution, I voted against the discharge of the Committee from the consideration of my own bill. Therefore, we do not discuss the merits, although I subscribe to the idea and the objective of the legislation. This is a question as to whether you superimpose the judgment of this House against the judgment of any committee, and I am accordingly again asking that you oppose this resolution.

Mr. ANDREWS. Mr. Speaker, we are not fighting the battles of 1939, nor are we fighting the battles of 1945. We are facing a very definite issue.

Does any Committee of this House have a right to repudiate a promise of a party? I would say to you in all sincerity, Mr. Speaker, that the moment we admit that a Committee of this House can repudiate a party

promise, then party responsibility becomes a mockery and we cease to be a democracy.

Have we actually arrived at a point in the history of this Commonwealth where a Governor, a Republican party, a Democratic party can go before the people with definite promises and then eight or ten or twenty men can say that the promises the party has made, the promises the parties have made or the promises his excellency the Governor has made are of no import? I not only plead, Mr. Speaker, for the release of this bill, but I plead with this House for the reestablishment of party responsibility to the end that the people of Pennsylvania may have a restored faith in parliamentary government.

I say to the Member of this House in all sincerity that one of the menaces that threaten Democracy is a growing distrust of party responsibility, a growing impression upon the part of the public that parties make promises which legislators are at liberty to repudiate. And so, Mr. Speaker, not only in the interests of this bill, not only in the interests of the promises made but in the interest of parliamentary government itself, I ask the Members of this House to bring this bill out upon the floor.

I would request a roll call Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, I would like to interrogate the Chairman of the Committee on Labor Relations.

The SPEAKER. Will the gentleman from Northumberland, Mr. Bower, permit himself to be interrogated?

Mr. BOWER. I will, Mr. Speaker.

Mr. SCHMIDT. Mr. Bower, has your Committee ever had under discussion the particular bill in question?

Mr. BOWER. I feel that is a Committee matter, not to be developed on the floor of the House.

Mr. SCHMIDT. The gentleman has read the press statements, Mr. Speaker, has he not, to the effect that the Chamber of Commerce of the state of Pennsylvania is in direct opposition to the FEPC legislation?

Mr. BOWER. I have, Mr. Speaker.

Mr. SCHMIDT. Has the gentleman, Mr. Speaker, also read the statements in the nawspapers that Mr. Owlett of the Pennsylvania Manufacturers Association is in opposition to the FEPC legislation?

Mr. BOWER. That is not pertinent to the question, Mr. Speaker.

Mr. SCHMIDT. And is the gentleman also familiar with the fact that I introduced a FEPC Bill?

Mr. BOWER. That is right, Mr. Speaker.

Mr. SCHMIDT. And is it in the gentleman's Committee?

Mr. BOWER. It is, Mr. Speaker.

Mr. SCHMIDT. Now, Mr. Speaker?

Mr. BOWER. Yes, Mr. Speaker.

Mr. SCHMIDT. Why can the gentleman not get action on that bill in your committee?

Mr. BOWER. That is a secret of the Committee, Mr. Speaker.

Mr. SCHMIDT. That is all, Mr. Speaker.

May I interrogate Mr. Moran, a member of that Committee?

The SPEAKER. Will the gentleman from Allegheny, Mr. Moran permit himself to be interrogated?

Mr. MORAN. I shall, Mr. Speaker.

Mr. SCHMIDT. May I ask the gentleman, Mr. Speaker, are you a Member of the Committee in question?

Mr. MORAN. I am, Mr. Speaker.

Mr. SCHMIDT. Has the gentleman been attending the meetings of that committee?

Mr. MORAN. There haven't been any to my knowledge, Mr. Speaker.

Mr. SCHMIDT. During the gentleman's time as a member of this Committee, has any FEPC legislation been discussed?

Mr. MORAN. Not when I was present, as I recall.

Mr. SCHMIDT. Mr. Speaker, here is a Committee that has before it a bill that has not even been considered, and yet there is objection because we are asking for the discharge of that Committee that has taken no action whatsoever on that bill; legislation which has been promised to the people of this Commonwealth by the Governor of this state and by each of the major parties.

Now, I am personally interested in this bill because I happen to belong to a race that is covered by this bill. I have spoken in behalf of it as have many Members of this House, on both sides of the House. How can I go back to my people and tell them that I voted in opposition to a resolution to discharge a Committee because of a custom in this House that no Committee is discharged whether or not it considers the bill.

Now, I repeat what I said before, and the Majority Leader to the contrary notwithstanding, that any one opposing this motion opposes FEPC. FEPC has been before this House in the 1945 session, in the 1947 session and now in this session, and is meeting the same reception. I say to each and every one of these Members, you know what FEPC stands for, you know what it means and you know that when you vote against this motion, if you so see fit, you are voting against FEPC.

Mr. ROSE. Mr. Speaker, I had the good fortune to listen at the luncheon today to an inspiring address by the Governor of this Commonwealth. We have reached the point today where we have to count noses.

I want to call your attention and the attention of the House to the solemn pledges made by both political parties, and that we have reached the point where we have to count noses. And, contrary to the statements made by the Majority Leader in regard to the discharge of the Committee, I want again to reiterate that by voting against this resolution to discharge the Committee you are being counted as being opposed to FEPC legislation.

I think it is about time we got away from the evasions and subterfuges that have been used in the past, and that we should now favor FEPC legislation, and vote for the discharge of the committee. I say it is high time in this House, for those who have the courage to stand up and say what they believe on this type of legislation.

Mr. WEISS. Mr. Speaker, you are now given an opportunity to see whether the majority party loves minorities as well in April as they do in October and November. I was really surprised and ashamed as a Member of this House, as a previous speaker mentioned that behind a lot of double talk by the majority party and whoever represents the majority party, and behind secret ballots and secret meetings and behind legal technicalities, what we really wanted was something that rightfully belongs to the people of Pennsylvania. This is the time and the hour for the count to be taken, and as previously

stated, a vote against this motion is definitely against FEPC.

I would say to the Members of the House, because it is time, Members of the General Assembly, that you quit kidding the public, you have done it long enough. I feel if Governor Duff has promised and intends to carry it out, I say definitely that if he wants this legislation, he can get it. If he is interested enough in FEPC legislation, he can get it.

Mr. WILLIAM B. SMITH. Mr. Speaker, I believe with Mr. Weiss that if the Governor wanted this legislation passed it would be passed. Now, you have about twenty men on this Committee, and I don't see how the Members of this House can refuse to give the body of this House an opportunity to vote on this type of legislation, and I believe that the Committee should be discharged.

I want to read an article here from the Pittsburgh Press, and I believe it will give you a pretty good idea as to how the people of Pennsylvania feel about the Republican party and such a resolution as this.

THE GOP AND MARGARINE

> Republican spokesmen keep wondering how they can gain the confidence of the plain people. It now is admitted, even by most Republicans, that the average run of citizens just doesn't trust the Republican Party. There is a feeling that it serves selfish interests.
>
> The answer to the question about gaining confidence is that it depends on performance. Not on promises. Not on some sudden display of concern. Not through the soothing words of some press agent or advertising expert.
>
> It depends on day-by-day actions of a kind that will convince the average voter that the Republicans are interested in him.

Now, I believe that the policy of the Republican party is interested in seeing to it that these people who will benefit by this legislation—if they want to see these people given the same opportunity that we have in life, I believe they will vote to discharge this Committee.

Mr. ANDREWS. Mr. Speaker, as the proponent of this measure, I would request the privilege of closing the discussion.

If the gentleman from Indiana desires to speak I yield to him.

Mr. McMILLEN. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Schmidt.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SCHMIDT. I shall, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, I should like to inquire of the gentleman if I understood his one statement correctly when he said he represented a race covered by this bill.

Mr. SCHMIDT. I do, Mr. Speaker.

Mr. McMILLEN. That is all, Mr. Speaker.

That statement in itself in my opinion is justification for rejection of this resolution to discharge this Committee. That statement in itself is justification for the passage of no FEPC bill. When we come to the place in the halls of the Legislature of the Commonwealths and states of the United States, where we have to take up legislation on that question, then we deny the very existence of our own being here.

The gentleman's own presence on this floor as a race, if he cares to class himself as a race—I call him an American citizen—is evidence of the fact that we do not need any FEPC bill. The very fact that on the floor of this House sits one of the greatest constitutional lawyers of the Commonwealth of Pennsylvania, is evidence of the fact that there is freedom, that there is opportunity for any man once he proves his own worth and his own mettle.

The further fact that I myself am standing here, coming as I do from an economic condition and situation in a family where you would least expect it to happen is evidence of the fact that if you have it and can produce it, there is opportunity.

I say to you here, Members of this House, and to the public at large that the very minute we begin to legislate on race, color or creed we are trespassing on the principles of democracy. We are not only transgressing on the principles of democracy but we are transgressing over onto the God-given rights of every man to life and liberty, the opportunity to do things that are given to him as an American citizen. The argument that the gentleman used, therefore, I say, because it covers race is justification for the rejection of this resolution. I ask you to vote it down.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. The gentleman from Westmoreland desires to make a brief statement.

The SPEAKER. The gentleman from Cambria yields to the gentleman from Westmoreland, Mr. Lovett.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Montgomery, Mr. Brunner permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, in the gentleman's statement before this House did he mean to infer that there was some time that I voted against the discharge of a Committee?

Mr. BRUNNER. It is my recollection, Mr. Speaker—and my recollection is not perfect, but until it is proven to the contrary it is my recollection that the gentleman did during the 1941 session, when his party was the majority party in this House and when the Committees were composed of a majority of the majority party.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

Mr. BRUNNER. Mr. Speaker, may I add this, that if the gentleman at this time assures me that during the 1941 session he did not, I will accept his statement.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

To my knowledge I have never voted against the discharge of a Committee. Over a long period of years I may have done so—circumstances alter cases, I will admit.

Gentlemen, you may laugh, but I say to you that there is no one who has proven yet that I did vote against such a resolution. Until you come with the story and show the Legislative Journal and the bill and the time, I stand as never voting any time in my knowledge against the discharge of a Committee.

Let us be fair about things. I want to say to you that it has been my knowledge in this House that if I had a bill in a Committee, I first would ask the Committee Chairman to consider that legislation, and I have tried to do that very thing. I have tried to live up to

the rules and regulations of this House. They may not always be to my liking, but at least I try to live by the rules and regulations laid down by the House of Representatives. I want to say to you gentlemen that to my knowledge I have not ever voted against the discharge of a Committee. As Mr. Brunner says, he is not sure, then I am not sure.

Mr. ANDREWS. Mr. Speaker, I yield two minutes to the gentleman from Allegheny, Mr. Schmidt.

Mr. SCHMIDT. Mr. Speaker, by reason of having been born of a mother and father of a minority group, as I would say many of you in the Hall of this Legislature were born, I do not speak principally for myself, but I stand here speaking for those minority groups. I hope that the gentleman from Indiana will never have occasion to feel the prejudce that the members of minority groups have had to feel when seeking employment in industry or otherwise engaging in economic endeavor.

Yes, we have the fourteenth amendment to the constitution of the United States granting this freedom and that freedom, but yet it was necessary to introduce into the Halls of Congress of the United States a Civil Rights program, and here in Pennsylvania we also found it necessary to have an equal Civil Rights program and an FEPC program. I say to you, each and every one of you, that you must live with yourselves not only here today but at your home town and wherever you may go, and I want to say to you that if you feel that you can't because of prejudice or because of some other feeling, whether it is party loyalty as you call it and oppose this resolution that is before you now, then I say God be with you.

Mr. ANDREWS. Mr. Speaker, no other member insisting upon bieng recognized, I will claim the privilege.

The SPEAKER. Does the Majority Leader desire to be recognized?

Mr. BRUNNER. No, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, it would be unfortunate if we permitted ourselves to be diverted from the major issue which we face. What I may have done in the past, what the gentleman form Westmoreland may have done in the past what my party may have done in the past, what your party, Mr. Speaker, may have done in the past, bears little relation to the duties which we face today.

No Committee, Mr. Chairman, is bound to report a bill because a Governor wants it out or because a Governor wants it in. We are a coordinate branch of the government, but Mr. Speaker, when it comes to the people of this Commonwealth, that is a different matter. They are our superiors, they are the guardians of our promises, and it is in keeping, I say, with our political honor, in keeping with party responsibilities that we redeem our pledges and bring this bill before this House, in the consideration of its membership.

I request a roll call, Mr. Speaker.

Mr. BRUNNER. I second the request, Mr. Speaker.

On the question recurring.

Will the House adopt the resolution?

The yeas and nays were required by Mr. Andrews and Mr. Brunner.

A verification of the roll was requested by Messrs. Bane, Wheeler and Williams.

The roll was verified and was as follows:

YEAS—89

Amarando,	Harris,	Musto,	Sarraf,
Andrews,	Heatherington,	Nagel,	Scanlon,
Bane,	Hoggard,	Needham,	Schmidt,
Beaver,	Hunter,	Nixon,	Schuster,
Boles,	Jenkins,	Olsen,	Seyler,
Brandon,	Jim,	Penglase,	Smith, W. B.,
Breth,	Jones, G. E.,	Pentrack,	Snider,
Bucchin,	Jones, J. M.,	Peta,	Stank,
Cochran,	Kamyk,	Petrosky,	Sternberg,
Cole,	Kirley,	Pettigrew,	Swope,
Coleman,	Kolankiewicz,	Pfaff,	Taylor,
Conway,	Lederer,	Polen,	Varallo,
Dougherty,	Leonard,	Posta,	Verona,
Duffy,	Limper,	Powers,	Wargo,
Evans,	Lovett,	Price, R. A.,	Weiss,
Filo,	McGee,	Readinger,	Welsh,
Floyd,	McNally,	Reese,	Westrick,
Gaffney,	Mihm,	Reidenbach,	Wheeler,
Glembocki,	Mills,	Reynolds,	Williams,
Good,	Monroe,	Rose,	Worley,
Guarnieri,	Moran,	Rosen,	Yester,
Hagerty,	Munley,	Rovansek,	Yetzer,
Hamilton,			

NAYS—109

Barkdoll,	Firmstone,	Kohl,	Robbins,
Baumunk,	Flack,	Kratz,	Robertson,
Bednarek,	Fleming,	Kurtz,	Royer,
Blair,	Fox,	Lee,	Scott,
Bloom,	Frank,	Leisey,	Shoemaker,
Bomberger,	Frost,	Loftus,	Smith, C. C.,
Boorse,	Gallagher,	Madigan,	Sollenberger,
Bower,	Gibson,	McCormack,	Spencer,
Breisch,	Goodling,	McCullough,	Stimmel,
Brice,	Graybill,	McKinney,	Stuart,
Brown, W. E.,	Green,	McMillen,	Tahl,
Brunner,	Greenwood,	Mikula,	Tompkins,
Cadwalader,	Greer,	Miller,	Toomey,
Clapper,	Guthrie,	Milliken,	Varner,
Clendening,	Hall,	Mintess,	Wachhaus,
Cooper,	Harney,	Moore, C. E.,	Wagner,
Costa,	Haudenshield,	Moore, H. A.,	Waterhouse,
Dalrymple,	Herman,	Murray,	Watkins,
DeLong,	Hewitt,	Najaka,	Weidner,
Dennison,	Hocker,	Neff,	Wescott,
Depuy,	Hoffman,	O'Donnell,	Wood,
Driscoll,	Jennings,	Orban,	Yaffe,
Dye,	Johnson,	Price, H. W., Jr.,	Yeakel,
Elder,	Jump,	Propert,	Young,
Erb,	Keller,	Reagan,	Ziegler,
Ewing,	Kemp,	Reilly, J. M.,	Sorg,
Felton,	Kent,	Riley, R. L.,	Speaker
Ferster,	Kline,		

NOT VOTING—10

Altshuler,	Helm,	Krise,	Sax,
Brown, H. S.,	Hersch,	O'Dare,	Thompson,
George,	Kondrath,		

So the question was determined in the negative and the resolution was not adopted.

Mr. ANDREWS. Mr. Speaker,—

The SPEAKER. For what purpose does the gentelman rise?

Mr. ANDREWS. To account for the absence of Representative Brown of Allegheny County.

I want the House to know that the reason Representative Brown is not here today and voting is that he is critically ill and was unable to be here.

The SPEAKER. The Chair regrets to hear that news.

PERMISSION TO ADDRESS HOUSE

Mrs. MUNLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I am presenting for your consideration on this date a resolution which brings to light a hazardous situation in my legislative district and particularly dangerous to the health and welfare of all the people living in the Carbondale area.

To date the Department of Mines of our Commonwealth has done nothing to aid the people in this mine fire area and therefore subjected them to these conditions without regard for their safety.

Now, I appeal to the Membership of this House to bring to the attention of the Department the necessity of immediately approaching this problem, and ask further for the favorable consideration for the Resolution. I am presenting the following resolution.

RESOLUTION

Mrs. MUNLEY offered a resolution which was filed with the Clerk.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House, a former Member, the gentleman from Philadelphia, Honorable Americo V. Cortese.

RESOLUTIONS

CONGRATULATIONS

Messrs. JOHNSON and KOHL offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1949.

Whereas, The Borough of Kane, located in McKean County, is famous as a health resort and a haven for those suffering from hay fever; and

Whereas, The healthful climate of this delightful mountain-top community has produced a race of stalwart men who have excelled in athletic ability, bringing fame to themselves and to their community; and

Whereas, The basketball team of Kane High School has just recently won the Western Pennsylvania Class B Championship Title; and

Whereas, The Borough of Ashley is located in Luzerne County, in the heart of the anthracite coal region, and is famed as a community of intense local pride and spirit; and

Whereas, The industrial growth of this community has also developed men of stout heart and athletic prowess; and

Whereas, The basketball team of Ashley High School has recently won the Eastern Pennsylvania Class B Championship Title; and

Whereas, The said teams from Kane and Ashley will play against each other for the Class B Championship Title of Pennsylvania; now therefore be it

Resolved, That the members of the House of Representatives extend to the members of the said teams, their coaches, and the people of the respective communities, its hearty congratulations on the success so far achieved and the good sportsmanship shown during the past season by both teams, and be it further

Resolved, That this spirit of clean play and athletic achievement will continue to grow in both schools to the credit of themselves and of Pennsylvania, and that when these two teams meet in the play-offs, "may the best team win"; and be it further

Resolved, That in token of our feelings, the Chief Clerk of the House of Representatives is directed to transmit a copy of this resolution to the principals of Kane High School and Ashley High School, and to the executive officer of the respective communities.

CONGRATULATIONS

Messrs. WILLIAM B. SMITH, NAGLE and HAMILTON offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1949.

Whereas, The basketball team of the Aliquippa High School has won the PIAA Class A Championship of the State of Pennsylvania, under the fine coaching of Sammy Milanovich; and

Whereas, The Aliquippa team has had a record-breaking season, winning 29 successive games and breaking all scoring records in PIAA play-off competition; therefore be it

Resolved, That the Members of the House of Representatives, extend to the Aliquippa High School, to its great basketbal team and their sterling coach, their hearty congratulations on the success attained by their combined efforts; and be it further

Resolved, That this House wishes them continued success in future seasons; and be it further

Resolved, That as a token of the sentiments of this House the Chief Clerk is hereby directed to transmit a copy of this resolution to the Principal, and a copy to the coach, of the Aliquippa High School, Aliquippa, Pennsylvania.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 497.

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement, providing for the annual recording of such licenses, regulating nursing in general, imposing penalties and repealing certain laws.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 498.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses.

Referred to the Committee on Professional Licensure.

STUDENTS IN POLITICAL SCIENCE WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming to the Hall of the House thirty-seven students in "Political Science" from the following schools: Penn State, University of Pennsylvania, Lycoming College, Lock Haven State Teachers' College and, Bucknell University conducted by the Education Committee of the Pennsylvania Council of Republican Women under the guidance of Mrs. Esther Detweiler.

RESOLUTION (SERIAL NO. 33)

Mr. PENGLASE. Mr. Speaker, I would like to call up at this time House Resolution Serial No. 33 on page 23 of today's calendar.

The resolution was read, considered and adopted as follows:

YARDVILLE, U. S. A.

In the House of Representatives, February 23, 1949.

Whereas Some years ago various groups of people in the City of Philadelphia decided something should be done to make their city more livable and as a result, definite long range plans were drawn to that end which plans were so interesting and inspiring that enthusiasm became widespread and a demand arose for immediate action and

Whereas these enthusiasts inquired as to what could be done now To which inquiry Mary Davis Gillies McCall's Interior and Architecture editor replied "Why not begin in your own back yards" And everyone said "Yes why not" and

Whereas The City Planning Commission of Philadelphia and editor Gillies thereupon sat out to find a place to begin in converting ugly back yards into beautiful usable and livable gardens It was not long before they found a group of people living in the lower end of the 4000 block of North 7th Street and the lower end of the 4000 block of North Marshall Street the yards of whose houses back up to each other who were most eager to help in bringing about the desired transformation and

Whereas The result has now become history as "Yardville USA" with its story as to how twenty ugly unimportant back yards were converted through the application of ideas plans a little money and cooperation into twenty beautiful usable livable gardens which have not only revolutionized the home life of the people living in the homes to which these gardens are connected but also have become a joy and inspiration to all who see them therefore be it

Resolved That the House of Representatives hereby congratulates and expresses its appreciation to the Citizens' Council on City Planning the City Planning Commission the architect Oscar Stonorov and the planner Edmund Bacon Mary David Gillies of McCall's Magazine and all the people living in these houses and all others who contributed in any way to the beautification of this project "Yardville USA" and be it further

Resolved That the Chief Clerk of this House send a copy of this resolution to the Council on City Planning the City Planning Commission the architect Oscar Stonorov the planner Edmund Bacon and to Mary Davis Gillies of McCall's Magazine.

RESOLUTION

USE OF HALL OF HOUSE GRANTED

Mr. WATERHOUSE asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Apresentatives, April 5, 1949.

Resolved, That permission for the use of the Hall of the House of Representatives be granted for the purpose of having the oath of office administered to State Treasurer-elect Charles R. Barber on Monday, May 2nd, 1949, at 12 o'clock noon, daylight saving time.

Be it further resolved, That a copy of this resolution be transmitted by the Chief Clerk to the State Treasurer-elect Charles R. Barber.

SENATE MESSAGE

CONCURRENT RESOLUTION RECALLING SENATE BILL No. 181

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 5, 1949.

Resolved (if the House concur), that Senate Bill No. 181, Printer's No. 29, entitled "An act declaring bonds issued by the State Public School Building Authority legal investments for the School Employes Retirement Fund" be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 103.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the regulation of extra-curricular activities and organizations permitting use of school property for such activities and organizations defining the status and providing for the control of funds of such activities and organizations and purchases made with such funds defining the status of money raised by other permissive uses of school property validating past actions and permitting appropriation by school districts to extra-curricular organizations of funds heretofore raised through the use of school property

SENATE BILL No. 261.

An Act to add section two thousand three hundred fifteen point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governover and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certan other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by empowering the Department of Welfare to authorize certain construction for patients' or inmates' stores out of appropriated moneys or certain other funds

SENATE BILL No. 350.

An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act con-

cerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the period for field trials.

SENATE BILL No. 404.

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by including clerical personnel in the office of county superintendent of schools within definition of term "County Employe"

SENATE BILL No. 439.

An Act to further amend section ten of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons

SENATE BILL No. 440.

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" by further prohibiting the peddling of labeled flowers of certain veteran's organizations.

SENATE BILL No. 441.

An Act to further amend section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the AMVETS and the Marine Corps League to collect certain data relative to location of burial places of deceased service persons.

SENATE BILL No. 444.

An Act to add section two hundred two to the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by providing for out-patient and psychiatric clinical services and establishing charges

SENATE BILL No. 615.

An Act to repeal sections two seven and eight of the act approved the eighth day of March one thousand eight hundred and sixty (P. L. 130) entitled "An act for the registration of births marriages and deaths in the City of Philadelphia"

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate bing introduced, returned bills from the House of Representatives numbered and entitled as follows·

HOUSE BILL No. 69.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers

HOUSE BILL No. 258.

An Act to amend Article twelve, Sections twelve hundred two, twelve hundred three, and twelve hundred ten, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto", by clarifying the provisions concerning legal procedure in the enforcement thereof.

HOUSE BILL No. 325.

An Act to amend section eight hundred two of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof

HOUSE BILL No. 445.

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County.

HOUSE BILL NO 532.

An Act to amend section one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the

Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 494, 680, 698, 723 and 724.

Amended House Bills returned for concurrence 450 and 451.

The SPEAKER. Without objection, these bills will lie on the Speaker's table until tomorrow. The Chair hears none.

COMMITTEE MEETINGS

Banking, Building and Loan Associations, Room Number 330, Wednesday, April 6, at 11:45 a. m.

Law and Order, Room Number 325, Wednesday, April 6, at 10:30 a. m.

Military Affairs, Room Number 323, Wednesday, April 6, at 11:00 a. m.

Motor Vehicles, Room Number 522, April 6, at 10:30 a. m.

Municipal Corporations, Room Number 521, April 6, at 12:30 p. m.

Professional Licensure, Room Number 325, April 6, at 11:30 a. m.

Public Health and Sanitation, Room Number 522, April 6, at 12:45 p. m.

There will be a Public Hearing before the Committee on Welfare, on Tuesday, April 12, 1949, on House Bill No. 529, at 10:00 a. m. in the New House Caucus Room which would permit osteopaths to commit to mental hospitals.

ADJOURNMENT

Mr. FROST. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 6, 1949, at 1:00 p. m.

The motion was agreed to, and (at 4:44 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., WEDNESDAY, APRIL 6, 1949. No. 41.

SENATE

WEDNESDAY, April 6, 1949

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. FATHER ROY C. KEFFER offered the following prayer:

O God, Who hast taught the hearts of the faithful by the light of the Holy Spirit, grant that by the gift of the same Spirit, the Members of this Senate may be always truly wise in their earnest effort and determination to perform their high office as they see it, for the good of this great Commonwealth of Pennsylvania, through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. DOEHLA, further reading was dispensed with, and the Journal was approved.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 7, entitled:

An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 34) entitled "An act regulating the sale of oysters at retail" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 8, entitled:

An Act to further amend section five of the act approved the eleventh day of March one thousand nine hundred nine (P. L. 15) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 9, entitled:

An Act to further amend section three of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 10, entitled:

An Act to amend section four of the act, approved the third day of March, one thousand nine hundred twenty-five (P. L. 10), entitled "Fruit Syrup Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 11, entitled:

An Act to amend section three of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 929), entitled "Skimmed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 12, entitled:

An Act to amend section four of the act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28), entitled "Condensed Milk Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 13, entitled:

An Act to amend section three of the act approved the tenth day of July one thousand nine hundred nineteen (P. L. 900) entitled "An act relating to eggs prohibiting the sale offering for sale exposing for sale or having in possession with intent ot sell eggs for and as fresh that are not fresh eggs or of branding or of labeling or marking eggs as being fresh eggs that are not fresh eggs prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 14, entitled:

An Act to amend section one of the act approved the twenty-eighth day of March one thousand nine hundred five (P. L. 64) entitled "An act to prohibit the selling shipping consigning offering for sale exposing for sale or having in possession with intent to sell as fresh any meat poultry game fish or shell fish which contains any substance or article possessing a preservative or coloring character or action making the same a misdemeanor and

to prescribe penalties and punishment for violations and the means and the methods of procedure for the enforcement thereof" making the first violations of said act summary offenses instead of misdemeanors

House Bill No. 15, entitled:

An Act to amend section twelve of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 670), entitled "Cold Storage Warehouse Food Law," making first and second violations of said act summary offenses instead of misdemeanors.

House Bill No. 16, entitled:

An Act to further amend section one of the act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 142) entitled "An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same" making first violations of said act summary offenses instead of misdemeanors

House Bill No. 17, entitled:

An Act to amend section two of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" making first violation of said act summary offenses instead of misdemeanors

House Bill No. 69, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended "The Workmen's Compensation Act," by providing for compensation in the case of self employers.

House Bill No. 144, entitled:

An act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards commissions or offices to proceed by injunction or any other process in the Court of Common Pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction and to set out the method and procedure therefor

House Bill No. 189, entitled:

An Act to amend the title and section one of the act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 30) entitled "An act to authorize and make valid conveyances by wives during their minority of their interest in their husbands real estate" by authorizing minor husbands and wives seventeen years of age and older to join in conveyances of their adult spouses' real estate and validating such conveyances heretofore made.

House Bill No. 258, entitled:

An Act to amend Article twelve, Sections twelve hundred two, twelve hundred three, and twelve hundred ten, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," to clarify the provisions concerning legal procedure in the enforcement thereof.

House Bill No. 325, entitled:

An Act to amend section eight hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled Nonprofit Corporation Law," by further regulating the method of approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof.

House Bill No. 445, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County

House Bill No. 532, entitled:

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

House Bill No. 533, entitled:

An Act to add section two hundred seventy-eight point one to the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by providing in certain cases for the payment of costs in enforcement proceedings by the Board of Fish Commissioners and reimbursed to counties for maintenance of prisoners.

House Bill No. 598, entitled:

An Act to amend section ten of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fee for filing conditional sales contracts in the office of the prothonotary.

House Bill No. 793, entitled:

An Act to further amend section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing the catching and taking of terrapin on Sunday

House Bill No. 795, entitled:

An Act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans court and of the register of wills in all matters relating to fiduciaries

House Bill No. 883, entitled:

An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending.

House Bill No. 1004, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Fairview Township York County Pennsylvania necessary for the development of the Harrisburg Airport.

House Bill No. 1041, entitled:

An Act to amend sections four and eight of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law" by authorizing the assignment by municipal authorities of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located.

House Bill No. 1045, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" by extending to counties the powers granted therein clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which rentals rates or charges may be imposed and the proceeds thereof used empowering counties cities boroughs incorporated towns and townships to contract with authorities for sewer sewage and sewage treatment services to grant convey lease transfer encumber mortgages and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made.

Whereupon, The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 181

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 5, 1949.

Resolved (if the House of Representatives concur) That Senate Bill No. 181, entitled:

An Act declaring bonds, issued by the State Public School Building Authority, legal investments for the School Employes' Retirement Fund.

be recalled from the Governor for the purpose of further consideration.

AMENDMENT TO HOUSE BILL NO. 566 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 566, entitled:

An Act to promote the welfare of the people of the Commonwealth, creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements or rights of way of the Comonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and making an appropriation.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 180, entitled:

An Act to add section four hundred fifty-two to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing such counties to appropriate money to incorporated non-sectarian boys' and girls' clubs.

Which was committed to the Committee on Local Government.

House Bill No. 282, entitled:

An Act to amend sections eight hundred fifteen and eight hundred twenty-five of Article VIII of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law" by further restricting target shooting during the big game season extending hunting privilege revocation periods for shooting at wounding or killing human beings in mistake for wild creatures and increasing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 537, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," by authorizing the Secretary of Health to make necessary rules and regulations for the proper enforcement of this act.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225) entitled "The Game Law," by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 824, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing additional methods of collecting per capita taxes in school districts of the second class; requiring the filing of returns and the furnishing of information by employers and by those subject to the tax; imposing on employers the duty of collecting the tax at source; and by making a husband lilable for his wife's tax.

Which was committed to the Committee on Education.

House Bill No. 943, entitled:

An Act relating to the propagation of nut trees and other trees bearing crops, excluding fruit trees in this Commonwealth; providing for the appointment, qualifications, terms and compensation of an Expert Tree Crops Adviser; prescribing his powers and duties; imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto, and making an appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 966, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg providing for the development of the said property and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1097, entitled:

An Act to further amend subsection (c) of section one thousand four hundred six and subsection (a) of section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for transportation of pupils at the expense of the district, and for reimbursement of the district by the Commonwealth for furnishing transportation to pupils.

Which was committed to the Committee on Education.

House Bill No. 1294, entitled:

An Act to add subsection (c) to section one thousand three hundred seventy-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by requiring supervision of the Department of Public Instruction over schools for the deaf receiving payments from the Commonwealth

Which was committed to the Committee on Education.

STUDENTS ON AMERICAN GOVERNMENT FROM MILLERSVILLE STATE TEACHERS COLLEGE PRESENTED TO SENATE

Mr. HOMSHER. If I may interrupt the proceedings for a moment, I wish to advise the Senate that we are honored today by a group of students studying American Government from the Millersville State Teachers College; they are accompanied by two of their instructors, Mr. Champa, and Miss Powell.

The PRESIDENT. The Chair is very pleased to welcome the students interested in American government from the Millersville State Teachers College, and we are glad to have you with us.

PETITIONS AND REMONSTRANCES

Mr. HALUSKA. Mr. President, I have been informed that this Session is about to adjourn sine die the latter part of this month. Of course, I have no control over that, but I would like very much to make an appeal to the Republican Floor Leader, the gentleman from Allegheny, Senator Walker, to his colleagues and to my colleagues on this side of the House, about the Session next week.

Mr. President, next week is known to all of us as Holy Week. The Christian Faith recognizes Holy Week, and many of us like to observe that week. The Jewish Faith have their Passover starting Wednesday evening of next week.

I realize that we must expedite the work of this Senate, but up until this time we have been at leisure, we haven't worked too long or too hard, and I trust, out of respect to our religions and to our faith in Christianity, that we can adjourn next week by Wednesday. Thursday is Holy Thursday, and the following day is Good Friday, and I trust that those of us who wish to go to Church, and the most of us do, will have the opportunity of being back home Wednesday evening.

Now, Mr. President, it may be said, you can go home if you wish to, but in my sixteen years on this Hill, I have never missed one day of Session and it is my desire to keep up my record and be on this floor during every day of the Session. It is also my desire to be home on Holy Thursday, and I trust we can so arrange, even if you must work at night to give us the opportunity to complete the work for next week by Wednesday evening.

Mr. WALKER. Mr. President, the gentleman from Cambria could have saved us a lot of time. If he recalls, last week and the week before, this matter was discussed and I still have the recollection that they were advised, and for his information, I will now advise him officially over the loud speaker system that the Senate intends to meet three days next week and adjourn on Wednesday, so that the Senate may observe Holy Thursday and the balance of the Easter religious week. We never had any intention to meet on Thursday, and I was under the assumption that everybody on the other side had been so advised. If the gentleman from Cambria

would have asked me, I would have been happy to advise him and I am happy to do so now. There will be no Session on Thursday of next week, there will be no Session on Friday of next week, there will be no Session on Saturday or Sunday.

We will meet Easter Monday, and at that time we will endeavor to drive for five days to see whether or not we can not complete the business of the 1949 Session by April 28th at six o'clock p. m., which is the sine die adjournment resolution which will be introduced today as soon as we get to that point in the Senate business.

Mr. President, I appreciate the gentleman's constant attendance, and I agree with him that he has been a very faithful attendant at the Senate Sessions.

Mr. HALUSKA. Mr. President, I want to thank the gentleman from Allegheny, for had I had the information before hand, I would not have been on the floor now. No one in my Caucus, none of my colleagues had any knowledge of it.

At any rate, Mr. President, I want to thank the gentleman from Allegheny for his kind remarks.

Mr. LANE. Senate Bill No. 1 providing for the repeal of the antiquated and unjust Margarine restrictions was referred to the same Committee that, two years ago, killed Senate Bill No. 190 that was designed to place the State of Pennsylvania on the same intellectual basis relative to legislation on this product that most of the States of the Union now hold. There isn't any question that this same Committee which deprived the people two years ago of seeing on the counters of the small grocery stores, one of the most healthful and valuable products of the American diet, is the same Committee that is holding up Senate Bill No. 1.

As two years ago, it could have been said of this Committee, and the same can be said today in the words of Professor Hugh H. Darby, Editor of American Cookery, he described precisely the Legislators who prohibit this healthful diet in the average outlet in our State. He said it cannot be too strongly stated that the welfare of the individual, the mass population who must use margarine, has not been uppermost in the minds of our legislators when unreasonable taxes have been placed upon the healthful product of Margarine. He further stated that most of the arguments against margarine have not centered around the suitability of the American diet, but have been based upon the economic aspect of the product. The economic aspect is the butter trusts who control the Committee.

The arguments of the opponents to margarine that it is being manufactured from substances imported into our country is not entirely correct and I quote from the aforesaid Dr. Hugh H. Darby, whereas he stated before the American Cookery Institution that at one time a good percentage of vegetable oils were obtained in various parts of the world and, therefore, some competitive manufacturers were able to raise the point that this constituted the favoring of foreign agriculture in contrast to our own national agriculture.

However, he goes on to say that it is for this reason that Texas put a special tax on margarine made from foreign vegetable oils. However, that is not the case today, as soybean and cottonseed oil produced in the United States are the major ingredients of all Margarine. In buying Margarine today we are supporting our own farmers on our own soil. Therefore, if there remains any old ideas about the origin of Margarine, they should be completely revised. To do otherwise would be an injustice to our soybean and cottonseed farmer.

I am also in a position to state and can verify my statements that fourteen million pounds of whole milk went into the production of Margarine in the year 1941 and this constituted some 14% of the ingredients used in Margarine. It is agreed that whole milk is most certainly a product of the Pennsylvania farmer. The nutritive values of butter and Margarine have been argued at great length. Several points are conceded by both sides. Butter and Margarine are both 80% fat. Both contain Vitamin A, butter naturally, Margarine by fortification.

Butter' Vitamin A content varies with the season. Dairymen claim it runs from 9,000 units per pound in winter to 20,000 units in the summer. The present law requires no guarantees or minimum standards.

On the other hand, 99% of all Margarine made in the United States for human consumption is fortified with at least 9,000 units per pound and most with 15,000 or more. Margarine is subjected to test for its Vitamin A content.

I take this position that Senate Bill No. 1 sponsored by Senator Farrell and referred to the Committee on Agriculture on January 17, merits the favorable consideration of that Committee.

Mr. President, the Federal Government is endeavoring to remove the controls from the sale and distribution of Margarine. Unless Senate Bill No. 1 is enacted into law, any action by our National Government will not be applicable to this great Commonwealth.

A recent editorial in a Pittsburgh newspaper set forth the fact that our own State Department of Agriculture, under the guidance of Miles Horst, was lobbying against Senate Bill No. 1 and it behooves me to state on the floor of this Senate that is just about time that we, the elected repesentatives of the people, regulate the vast network of bureaus that obviously have taken control of this State.

I, for one, am going to vote for another Kephart Bill in the form of Senate Bill 69, and unless this legislation is enacted into law, the election of the Members of the House and Senate will have no bearing whatsoever upon their ship of state.

I have been informed that, on this date, our Senate Committee on Agriculture has killed the Farrell Bill, and I say to the membership of that Committee that you had better reconsider your action, for otherwise the wrath of the people will be upon you.

I will have more to say on this subject at a later date.

I understand that Senator Scarlett has a survey made by the American Butter Institute whereby it is alleged that in States where controls have been removed on the sale of Margarine that prices have been increased.

I would appreciate the distinguished Senator inserting the survey into the Legislative Record for the information of the Membership of the House and Senate and the good citizens of this Commonwealth.

Mr. President, in conclusion I would like to put a question to the Secretary of Agriculture, Mr. Miles Horst, a Member of the Governor's Cabinet, and I say to Mr. Horst, a Member of the Governor's Cabinet, do your duties include lobbying for the butter interests? I be-

lieve this Senate should pass the Holland-Lane bill, which requires the registration of lobbyists, and have you, Mr. Horst, properly registered.

Mr. SCARLETT. Mr. President, I desire to make a few remarks in regard to Senate Bill No. 1. First of all, I have heard it said before that Miles Horst, Secretary of Agriculture, was lobbying for the butter people. Miles Horst has not urged me at any time to do anything at all in regard to Margarine. I have asket some questions, I have asked them to gather data for me, but they have not made any suggestions to me whatsoever in regard to the so-called butter trust. There may be a butter trust, but if there is, I don't know about it, I have never come in contact with it, either directly or indirectly. My whole purpose in opposing Senate Bill No. 1, Senator Farrell's bill, has been for the purpose of permitting families of low income to have a good wholesome food at a low price.

Mr. President, I have made several investigations, I have been benefitted by investigations made by a Committee in Congress on this same subject, which has been passed along to me. Sometime ago I was very much interested in the fact that the Margarine people and the small stores, the chain stores and so on, were sending out all over the state a number of people who met with women's clubs and other organizations and urged them to write every member of the Legislature to support the bill to put ioloring in Margarine. There was a vast amount of money spent and I wondered why. I have had investigations made in the states where coloring has been put into Margarine—Senator Farrell's Bill No. 1—and I find that there has been quite a change in the prices. For instance, in Georgia, the uncolored margarine sold at 27 cents per pound, and when the new law went into effect it almost immediately rose to fifty cents a pound. In Virginia, the selling price of Margarine was twenty-seven cents a pound, and it rose to forty-nine cents. In Arizona, thirty-seven cents a pound and it advanced to forty-nine cents a pound. In Kentucky, twenty-five cents a pound, advanced to fifty-two, and so on down the line. I do not at this time have a complete record of all the states in which this law has been put into effect; I expect to have it, however in the near future.

Mr. President, the production of Margarine in 1948, was 906,000,000 pounds. Now, the increase in price from twenty-six or twenty-seven cents a pound to fifty cents a pound or more, of course, means quite a number of million dollars extra profit to the stores who are handling Margarine, because a ten percent, fifteen percent, twenty percent mark up, whatever it might be, on twenty-six cents is only one half of what it would be on fifty-two cents.

I have no desire to meddle with the profits of the stores or retailers of Margarine, again which I say is a good food, a pure and healthful food.

We all know, Mr. President, that Margarine in the white color, with a gelatin capsule containing the coloring and put up in a cellophane bag, costs more to manufacture than the plain colored margarine which is colored in advance, therefore I can see no reason to increase the price of Margarine, which is made under a cheaper cost after the color has been put in.

As I said before, Mr. President, there have been quite a few people traveling in this state, visiting women's clubs and other organizations, and working for Margarine. I can give you the names, I have the names and addresses, I have the salaries of some of them, and I have the names of their employers and quite a lot more information. Now, that is so much for Margarine, as they have asked for in the yellow color.

Now, Mr. President, the Margarine people have not been restricted to the extent that the butter people or the manufacturers of other products have. They make Margarine out of fish oil, lard tallow, cotton-seed oil, soy bean oil, cocoa oil and what ever happens to be the cheapest oil or fat at the time they are manufacturing the Margarine. There are not, in this country, permitted to use horse or mule fat but a great deal of it is accumulated in this country and sent to foreign countries, particularly England, for the manufacture of oleo. However, the Margarine manufacturer has not yet been required to show in the package of his Margarine just what the content of that Margarine is, what the preservative is, what is used as the oil in the Margarine. Another thing that I think the Margarine people have in mind. In the states where Margarine coloring has been included and permitted in open sale, they put oil, perhaps cotton seed oil or some other oil into milk; in bottled milk the butter fat is extracted and the oils are substituted and that same thing is being dones in ice cream mix in states where colored oleo is permitted to be sold. There are other uses that the oleo people have for their materials, which they would like to put into food products, which perhaps is pure, most of the oils are pure.

Mr. President, there is another feature in regard to the Margarine that it is very very hard to believe. I have just this morning received information that in the state of Arkansas there is a company employed to investigate the use of colored Margarine and out of one hundred restaurants visited, sixty-six of them were serving Margarine marked on their menus as butter. We have had a lot of trouble in this State, we have a great many cases that are now pending. Just a few weeks ago, there was an investigation made on one of our principal routes, that was the Lincoln Highway, and the Margarine used or the butter used in the restaurant, they found that in most instances there were two pounds of Margarine mixed with one pound of butter and sold as butter.

Mr. President, I have said before that my whole purpose in working against Margarine was to protect people in the state of Pennsylvania, and there is no other reason for it. We have the farm interest to protect; the farm interests is the biggest interest in the state of Pennsylvania; fory-four counties in Pennsylvania depend on farm products alone for their existence. If colored Margarine was used in this state and sold at the prices it sells for in other states, it would tend to increase the cost of living, I don't know to just what extent, depending on the amount of Margarine that was used. It would also decrease the population of our milk cows and a decrease in the population of our milk cows would actually advance the price of milk; the price of veal would necessarily have to be higher, because as we all know the bull calves of the milking dairies are sold for veal, and, of course, the fewer cows we have, the less veal we have. Eggs, another product, figure into this cost of living also.

Now, Mr. President, the tax has been removed at last Friday night's Session, this Federal tax of ten cents a pound has been removed from Margarine and Margarine

is permitted to be sold in colored form, but it is optional with the states; I believe they got a new shape now but this whole coloring scheme I am sure is important to the people of Pennsylvania.

Mr. President, we have a very good Agriculture Department. It has been found recently that some of the bakers were selling pound cakes, lady fingers, and other cakes supposed to be made of eggs, but there is absolutely no egg content at all. It was colored, practically the same coloring as used in the Margarine. The bakers have been baking cherry pies and selling them with hardly any cherries in the pies, maybe three or four, but mostly coloring to imitate the cherries. Ice cream of different kinds has been sold with coloring and not flavored with the fruit. Some of those colors that have been used in those products are so strong that I have seen cloth that has been dyed with the coloring. That is what the people are putting in their stomachs, until the Department catches up with them.

Also, Mr. President, we find that horse meat is being sold, tons and tons of it, in the state of Pennsylvania, and manufactured into hamburg, a little tallow mixed with it and made into hamburg, and they have even tried to color horse meat and make it look like beef.

Mr. President, I again want to say that my interests have been for the people of Pennsylvania, I have no particular personnel interest and it will continue to be just the same way.

Mr. LANE. Mr. President, I do not desire to debate this question very long. I would just like to ask the gentleman from Chester one question.

The PRESIDENT. Will the gentleman from Chester permit himself to be interrogated?

Mr. SCARLETT. I will, Mr. President.

Mr. LANE. Mr. President, the gentleman from Chester, Senator Scarlett, stated here in his address that the cost of oleo has increased terrifically in various States in the Nation where restrictions have been removed. I would like to ask the gentleman if he has any figures on how the cost of butter increased in those states. Secondly, he talked about the figures which he had when he cited statistics here in regard to the states where the control has been removed. I would like to know from the distinguished gentleman from Chester, Senator Scarlett, just where he received those figures from, and if he will confirm or deny that they were furnished him by the American Butter Institute.

Mr. SCARLETT. Mr. President, some of my figures were secured from the Committee on Agriculture in Washington who have made investigations. Some of them have been furnished by a company who has made an investigation, and the sales slips have been obtained with the purchase of the Margarine. Some of them have been furnished by a milk company at my request. Other information is being gathered by a Company which makes a business of obtaining such information, making investigations. When I have that complete report, I will be very glad to lay it on the table for the inspection of everybody. At the present time I do not want to pass out the information into such states as may be on the look-out for it. That is my only reason for it. I will be very glad to turn the information over when I have it.

Mr. WADE. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. WADE. Mr. President, I would like to ask the gentleman if I understood him correctly when he referred to a Pennsylvania tax on oleo Margarine?

Mr. LANE. Mr. President, no, I believe the gentleman is mistaken. I can check my speech. I do not think so.

Mr. WADE. That is all right. If the gentleman from Washington did not refer to a Pennsylvania tax, I shall withdraw my interrogation.

Mr. DENT. Mr. President, I am not going to inject myself into this oleo feud, but I would like to say that because of the fact that the meeting held this morning was announced from the rostrum yesterday afternoon and not upon the printed lists, and having made other arrangements to be in another Department at the time the meeting was held, I was not present when the bill was up for consideration. I understand from the newspapers that the bill was kept in Committee by a unanimous vote. In order that I may be clearly understood and not misunderstood, I want it known that if I had been present at the meeting, I would have voted against keeping the bill in Committee, and would have voted to bring the bill out for the Senators to consider.

Mr. President, I think the record over the years shows that there are two schools of thought on the question of oleo versus butter or butter versus oleo. I believe the school of thought represented by the good Senator from Chester, Mr. Scarlett, is siniere, and I believe that he has nothing but an earnest desire to do good as he sees it. I do not believe that he intends at any time to thwart the welfare of the people of this Commonwealth by any action on his part or dictated action of his Committee. I do not want it misunderstood to the extent that any one would think that I am saying that Senator Scarlett is not as sincere as he appears to be, because I believe him to be a sincere man, working for that which he believes to be right. I also want to say, Mr. President, that those of us who believe the other side of the question to be right are just as sincere in our desires to do that which we believe to be the best for the common good. There are those of us who believe that this food, although it is of a synthetic nature, has the properties of health and the properties that can be passed on to the greater numbers of people in this Commonwealth of ours, if restrictions are removed from the sale and from the appearance that it takes when it reaches the stores of the grocery men within the confines of this Commonwealth. I want to say that this is a losing battle on the part of those who oppose the unrestricted sale of oleo, for today, as many of you know, there has appeared upon the market a small pill that is now attached to the inside of a pliable plastic film bag, and when the oleo is now purchased at the stores, it is taken home by the housewife and let set in a room of moderate temperature, and in fifteen or twenty minutes the housewife breaks this little pebble of fluid inside the bag, manipulates it for a few minutes, and produces a colored oleo Margarine that compares in color and in flavor and in appearance with the best butter that we can buy.

Now, Mr. President, all we are doing is causing an

added inconvenience to the housewife by refusing to remove this restriction, as well as making a certain person who holds a restricted patent upon this particular item immensely wealthy, at the cost of the every day citizen and his family and children throughout this Commonwealth. Colored oleo is here in the Commonwealth of Pennsylvania today just as surely as it came from the creameries or the manufacturing plants that produce it, and I think that eventually, although the time does not appear to be here at the moment, I think that eventually within a few short years we will see a bill passed unanimously almost, because it seems that those of us who are the forerunners of advanced thought, find ourselves often fighting a battle that ends up in a few years not being a battle at all, but by comon consent becomes a law of the land.

Mr. President, I admire George Scarlett for the many years he has fought for what he believes to be right, but I think by the same token that Senator Lane and others of his school of thought ought to be respected for their position also.

Mr. WALKER. Mr. President, it looks like a field day in the butter business.

I just want to say very briefly that I subscribe very heartily to what the gentleman from Westmoreland, Senator Dent, has just said. I know of no other person in the Senate who enjoys a higher regard of his colleagues than does the gentleman from Chester, Senator Scarlett.

Mr. President, in Allegheny County most of the folks in my district are very anxious to be able to buy Margarine and have it colored at the point of manufacture, and they and the companies that are involved are not particularly concerned about any restrictions that have been placed around the manufacture of Margarine.

I am in somewhat the same position as the gentleman from Westmoreland. We are like a couple of little girls, invited to play post office—I will if you will. I also was absent that day from the Committee meeting on Agriculture and, Mr. President, yesterday on the floor of this Senate we had quite a to-do about what goes on in a Committee meeting, and this is just a sample of it.

Here on the floor we discovered this was a unanimous vote, and yet three or four of us have to get up on our feet and point out with a great deal of care to the newspapers that we were not there and please do not count us among those who voted against Margarine.

Mr. President, I agree with the gentleman from Westmoreland. There will come a day when a Margarine bill will romp through this Senate on one of those high score votings. I hope that the gentleman from Westmoreland and I are both here to see it.

Mr. MALLERY. Mr. President, I just want to state that my colleague, Senator Scarlett, has expressed my thought on the oleo bill. I think he has rendered a signal service to all of the people of Pennsylvania except those few who might be engaged in the manufacture of oleo. I say that because the Senator, at his own expense, has spent considerably money to ascertain the information which he gave his colleagues on the floor of the Senate this afternoon. He knew but he wanted to make certain, and he found out that in those states where all regulations and restrictions on the manufacture of oleo were removed, that the price of oleo in almost every instance doubled.

Now, Mr. President, I think that that fact alone certainly justifies everything that Senator Scarlett has done and justifies the action of the Committee on Agriculture of the Senate.

There is another reason why I have always opposed a bill that would have repealed all regulations regarding the manufacture and sale of oleo. Agriculture is the most important industry in Pennsylvania. I am not going to make a long discourse on that, but when we discourage the breeding of cattle we should all realize that that is going to have a great effect on the amount of veal and beef that would be available for consumption, and naturally, the scarcer that product becomes the more it will cost all of the people in the Commonwealth.

So, Mr. President, I want to pay my respects to my colleague, Senator Scarlett, for a good job well done.

Mr. ROSENFELD. Mr. President, I do not intend to prolong this discussion, but coming from the largest consuming section of the state of Pennsylvania, I think I would be remiss in my duty if I did not get up to say that I think all of us are very lovely people, but we are losing sight of one thing. We have a lot of farmers, we have a lot of people in the butter business, we have a lot of people in the Margarine business. The consuming public is the largest group in this Commonwealth, and the consuming public is concerned with only one thing, their right to obtain colored Margarine without having to buy it in a certain type package, take it home, and work on it for a half hour until they have it looking the way they would like have it, and the way they could have it, if the manufacturer were permitted to do it that way in the first place.

Now, Mr. President, we started out in this discussion on first base and ended way out in left field, and I think without attacking anyone's sincerity here, if we would have the interest of the greatest portion of our public at heart, there would be no question about it. We would remove the restrictions once and for all because they are unfair and I think I can safely say notwithstanding that they have been in existence for a long time, they are un-American.

Mr. YOSKO. Mr. President, last Wednesday the Judiciary General Committee met, at which time among other things, among other bills, it considered the FEPC Bill and postponed action, due to the absence of three of the Members. In that connection my attention has been called to a newspaper item that appeared in one of the papers in my district. The headline of the item was "Yosko's absence delays Senate approval of FEPC." The body of the story did not quite tell the truth, and did not explain the reason for my absence, and I just want to keep the record straight. I did attend that meeting last Wednesday, and I informed the Chairman of the Committee, Senator Tallman, that it would be necessary for me to leave at eleven-thirty to take a plane to Bethlehem to attend the funeral of my very good friend, one of our city commissioners, who had died. Before leaving the Committee meeting, I told Senator Tallman that if a vote was taken on the bill, I desired my vote to be aye, but if a proxy was necessary that the distinguished Senator from Allegheny, Senator Barr would act as my proxy. I left the meeting at eleven-

thirty, before the FEPC Bill came up for consideration.

Now, Mr. President, it is not my purpose to divulge the deliberations of the Committee meeting yesterday, but because of the wrong impression some people are under, at least my mail so indicates, I want to say that I attended yesterday's meeting, at which time the FEPC Bill was considered, that I voted against the secret ballot, and that I cast my ballot in favor of favorable action to report out of Committee the FEPC Bill.

Mr. NEFF. Mr. President and Members of the Senate, I wish to speak today concerning a measure that is to me of the gravest importance and very dear to my heart, and that is F.E.P.C.

Mr. President, I am wodering why the F.E.P.C. Bill, sponsored by Members of the Majority Party in the Senate yesterday died in Committee, died in Committee by a secret vote of that Committee. I am not going to apologize or suggest that the sincerity of those voting for this secret ballot is beyond question, for I believe that this type of legislation is not in keeping with all that we hold dear in America. I think a Legislator elected to represent the people of a district or a nation certainly should be willing to stand up and be counted; he certainly should be willing to have the record show where he stood on social and humane legislation. I think that in the Senate of Pennsylvania bigotry and intolerance was present yesterday to a degree that I did not believe was possible; bigotry and intolerance decreeing that we should deprive a group of American citizens, minority peoples of full citizenship in America; that we here in Pennsylvania should give notice to second class citizenship.

Mr. President, why was F.E.P.C. killed in Committee yesterday by a secret ballot? The Governor told us two years ago he was for F.E.P.C., and nothing came out of that Session of 1947 for these oppressed peoples. He told us at the beginning of this Session that he was for an F.E.P.C. Bill, and yesterday we saw it killed by a Committee in which the Majority Membership rested with his party. Has he had a change of heart, has he for the first time in the 1949 Session of the Legislature lost control? I think not. Could it be that the adversaries in the "Battle of Dewey" in the city of Philadelphia, in June of 1948, have suddenly concluded that they can both work together better than they can apart? Or could it mean that Mason Owlett, in his visit several weeks ago to the gentleman in the south wing, might have made a deal, another deal that we have had too many of in Harrisburg in the last three months? We know where Owlett stands. He, not in the fashion that was used yesterday, that of subterfuge, has stated his position; he has made it clear through his organization, The Pennsylvania Manufacturers Association, that he is against F.E.P.C. Why is he against F.E.P.C.? Why is he able and willing to influence people who are willing to be his dupes to back an intolerant bigotry such as this? He is against F.E.P.C. because he represents the manufacturers of Pennsylvania, and as long as we can have a second class citizenship in America, in Pennsylvania, we are going to have cheap labor; as long as we say to our colored citizens in Pennsylvania that they cannot be employed on an equality with their white brethern, we will have cheap labor in the mills and factories of Pennsylvania; as long as we can say to those oppressed people that the only place that they can work in the steel mills is in the coke ovens, or in the blast furnaces, or in the scale pits, or in the dirty rotten jobs that the others do not want, we are going to have cheap labor. That is why Mason Owlett is against it, but he doesn't tell us that, he doesn't tell the Members of the Senate Judiciary Committee that. He uses the same tactics that have been used for generations, for centuries throughout the world, that of the superior race upholding a caste system here in America, the same as we have known a caste system in India and in Germany for years, and I tell you this, Mr. President, that we do have a caste system in America, and we here, north of the Mason-Dixon line, look with scorn at the South and wonder how they can be so callous, wonder how such conditions can exist in America where people do not have the right to vote or to live as others live. Yes, Mr. President, we here in Pennsylvania condone it, condone it by the action of the Senate Committee yesterday. I say that this action of yesterday, to quote my distinguished colleague from Allegheny, and seconding a statement by him, was an infamous act, an act that we should be ashamed to admit.

I wonder what the gentleman depicted by that oil painting on the wall, a man free of arrogance, intolerance and bigotry, fashioned in conscience, who came to Gettysburg eighty-five years ago to dedicate a great memorial battlefield to a cause, would say if he were to step into the Senate of Pennsylvania today or yesterday. Across the top of that oil painting we see, "It is for us the living rather to be here dedicated to the unfinished work," and we the living, eighty-five years later, have not finished the task, a task that could have been well started on the road to completion yesterday in the Senate of Pennsylvania.

Mr. President, I think the action of the Judiciary General Committee as of yesterday was a damnable un-American act, and I am not apologizing for that statement.

Mr. WALKER. Mr. President, I would like to say a few things to the gentleman from Lawrence County. The first thing Abraham Lincoln would say was that we have just heard the most bigoted speech that was ever delivered in the halls of this Senate. For the past ten years I have been a member of, and Chairman, of the Judiciary General Committee. In January of this year the Chairmanship was entrusted to my good friend, the gentleman from Lehigh, Senator Tallman. I am very proud of that Committee and proud of the men who serve on it.

For the past six years I have been the supporter of, and an advocate of, fair employment practice legislation. In 1947 I sponsored the fair employment practice bill, and I certainly have tried to my utmost to have these bills enacted into law. The gentleman from Lawrence speaks of bigotry. In my opinion, Mr. President, one of the most outstanding examples of bigotry is an individual who refuses to respect the sincerity of the opinion of his adversary, while at the same time demanding that respect in return.

I know that there are people in this Senate who sincerely believe in fair employment practices and think that these practices should be incorporated in our Pennsylvania law. These people are sincere in their beliefs and honest in their opinions. Then there are also mem-

bers of this Senate who are just as positive and just as honest and sincere who believe the opposite side of this controversial problem. It is controversial subject and I respect the opinion of the people who are opposed to me in their thinking on fair employment practice. Because their opinion is different from mine, I do not propose to call them bigots, and I think that the gentleman from Lawrence is rather careless in his language when he gets up on the floor of this Senate and says that because these colleagues differ with him that they are bigots.

I agree with his conclusions on fair employment practice but I certainly do not condone the attack he makes upon the members of the Judiciary General Committee or our colleagues here on the Senate floor. They are entitled to their opinion and so is the gentleman from Lawrence. The differences in beliefs and opinions certainly is no reason for the accusation of bigotry to be tossed around carelessly in the Senate. One of the first lessons of tolerance is to respect differences in race, color, creed and philosophy.

The gentleman from Lawrence pursues the course so many of the New Dealers adopt when they fail to find explanations for the mistakes made by their own political party. They are not able to explain why the Congress of the United States has not passed a fair employment practice bill. In order to create what he thinks will be favorable political publicity, the gentleman from Lawrence resorts to the cheap moth-eaten practice of blaming the present status of fair employment practice legislation on the Pennsylvania Manufacturer's Association and its president, the honorable G. Mason Owlett.

Now, Mr. President, never at any time has anyone ever suggested that I am a desciple of Mason Owlett or the Pennsylvania Manufacturer's Association. I had the privilege of serving with Mason Owlett in the Senate of Pennsylvania. I respect his opinions, his beliefs and his philosophies because in them he is sincere. The gentleman from Lawrence may not agree with Senator Owlett's philosophies, opinions or beliefs, but that disagreement on the part of the gentleman from Lawrence certainly will not condone the hurling of the gauntlet of bigotry here on the floor of the Senate.

Senator Owlett has contributed much of his time, effort and talent to the betterment of Pennsylvania. He served honorably in this Senate for eight years. No longer being a member of this body, he loses the opportunity to personally defend himself on the floor of this Senate. If he were here, he would ably—far better than I—answer the gentleman from Lawrence. Senator Owlett has made more contributions to the advancement of fair employment practice than the gentleman from Lawrence. Senator Owlett assisted in writing into the Republican platform in 1946 in Pittsburgh a fair employment practice plank. In 1948 in Philadelphia, Senator Owlett assisted in writing a fair employment practice plank into the National Republican platform. The gentleman from Lawrence suggests that Senator Owlett killed Senate Bill Number 6. Mr. President, such an accusation is ill-advised and is not founded on one scintilla of truth. During this entire Session, Senator Owlett never once has said a word directly or indirectly to any member of this Senate regarding Senate Bill Number 6 or any other legislation. If the gentleman from Lawrence has any evidence to the contrary, I would suggest that he produce that evidence and submit it to the committee on Judiciary General.

Then, Mr. President, the gentleman from Lawrence also makes the stupid and untruthful allegation in the form of a query suggesting that the Governor of the Commonwealth, the Honorable James H. Duff, has made a deal with Senator Owlett and has agreed to kill fair employment practice in order to get some of the administration legislation passed. Now, Mr. President, when the gentleman from Lawrence makes a statement like that on the floor of the Senate, that just proves that he does not know Governor Duff nor Mason Owlett. In all fairness to them both, they would not stoop to making deals like this.

Governor Duff has always been in favor of fair employment practice. He favored it in the past, he favors it now and will favor and support it in the future. His attitude toward fair employment practice has not lessened in the least.

I will admit, Mr. President, we have lost Senate Bill Number 6, but as I stated yesterday here on the floor of this Senate, we have lost the battle, but we have not lost the war. If the gentleman from Lawrence would just direct his activity toward attempting to get votes for fair employment practice instead of alienating everybody on the floor of this Senate who has the slightest difference of opinion with him, we might get further with legislation on that subject.

The gentleman from Lawrence accuses us of being bigots, moral cowards and classifies our action as "damnably un-American". Mr. President, the gentleman from Lawrence is enjoying his first Session in the Senate. When he has been here a little while longer, he will learn not to permit his enthusiasm to overcome his better judgment. Such unwarranted and ungentlemanly expressions have never made their appearance here on the floor of the Senate. I resent the gentleman's charge. I resent his accusations and his insinuations. I do so on behalf of my colleagues on this side of the aisle as well as my colleagues in the Minority. It may be that some of the Minority members of this Senate voted against Senate Bill Number 6. Certainly they are not to be included either in these despicable accusations.

Mr. NEFF. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. The gentleman will, Mr. President.

Mr. NEFF. Do I understand, Senator Walker, that you voted in the affirmative on that issue?

Mr. WALKER. Mr. President, I am a Member of that Committee. It was by secret ballot. My ballot is known to several Members of the Committee. I think the gentleman from Allegheny, Senator Barr, personally delivered my vote to the Chairman of that Committee so it could be tabulated. I know he will keep it a secret. My vote was in the affirmative.

Mr. NEFF. Mr. President, if the shoe had fit, I could have understood the squeal of anguish, but if it does not fit, let he who should put the shoe on wear it.

Mr. WALKER. Mr. Presdent, may I say to the gentleman that any time he accuses any of my colleagues of being bigoted, the shoe fits as far as I am concerned, because I am here to see that peace and harmony prevail.

Mr. DENT. Mr. President, I think that peace is a long way from home, and harmony certainly is further away However, this question is one that agitates tempers, and there is no question about that. Some of us feel deeply about a subject when it comes on the floor of the Senate, some of us feel deeply about subjects in Senate Committees. The gentleman, I think, practiced his perfect right, if he thought that he was aggrieved as a Member of the Senate in the action that was taken, and took the position here on the floor to show exactly the manner in which he felt aggrieved.

Mr. President, I am not too excited about the loss of equilibrium by anybody in debate, but I have been a little disturbed about taking in my favorite friends, the New Dealers. It seems, Mr. President, that we are still being accused of mistakes. I cannot see how we have made a mistake in the matter of FEPC. We just cannot help it if the Southern Democrats who were ruled out of the Democratic Party by their own vote, by their own suggestion, after the last Democratic National Convention, we cannot help it if that group has found a companion group north of the Mason-Dixon line, and west of the Mississippi River, known as the Republican Minority in the United States Senate, and if they have teamed up into a group to oppose the President's wishes and the President's will, in the matter of Civil Rights, it certainly is not a condemnation of the Democratic Party, or of the believers in the Democratic Party. So, at this moment, let us clear the desk of that particular issue. The Democratic Party in Washington will stand or fall upon its record, by the grace of God and the vote of the majority of the people of this nation. That record has been sufficient to return it to political power nationally for four consecutive terms of four years each.

Mr. President, we have found now that we have a new man in the White House, a man who does not have a magic name, a man who is not bandied around over the highways and by-ways of this country as a great spender, and is therefore getting into office on the basis of the fact that he is spending untold millions of public funds that his precedessor was accused of, but a man who went out into the highways and by-ways of this nation and pleaded his cause to the people strictly upon the record of the Democratic Party.

Those of us who are here in Pennsylvania in a minority position are not fooled by any oratory. We know why we are in the minority, we know exactly why. We know the places, the spots, and the conditions that cause the Democratic Party to be a minority in the Commonwealth, and we know at this time the peoples of this Commonwealth are awakening to the realization, just as Senator Walker has stipulated upon the floor, that FEPC was part of the Republican Platform in 1942. It was part of the Republican Platform in 1944, and 1946, and in 1948, and in 1949-1951 it will again be part of the platform, and that is the point of argument, that is the point of anguish on the part of those who support FEPC legislation, that year after year and platform after platform they are still given a platform plank, and it is getting to the point where the plank is causing indigestion, and so, Mr. President, we will stand upon our record, and say to you, and to the Members of this Senate, and to the people of Pennsylvania, that the only way this state will see that type of legislation put upon the statute books will be the election of a liberal Democratic Party.

GRADUATING CLASS OF SCHUYLKILL HAVEN HIGH SCHOOL PRESENTED TO SENATE

Mr. WAGNER. Mr. President, I am happy to announce that there are present in the gallery this afternoon seventy of the finest boys and girls that it has ever been my privilege to know, the graduating class of the high school at Schuylkill Haven, Schuylkill County, under the very able guidance of their high school principal, Mr. Paul E. Hartranft, and their advisor, Mr. William K. Stauffer.

The PRESIDENT. The Chair is happy at this time to welcome to the Senate the graduating class of the Schuylkill Haven High School. We hope you will enjoy your visit.

PERMISSION TO ADDRESS SENATE

Mr. TALLMAN asked and obtained unanimous consent to address the Senate.

Mr. TALLMAN. Mr. President, I should just like to say that if Senator Wagner is able to have himself re-elected until this class reaches voting age, I am positive that he will be here for the rest of his life.

REPORTS FROM COMMITTEES

Mr. WALKER, from the Committee on Corporations, reported as committed, House Bill No. 483, entitled:

An Act to further amend subsection six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utlty business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicles conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations

(except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof persons or corporations furnishing transportation for any injured ill or dead person

Mr. DONLAN, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 786, entitled:

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries bv regulating the take or catch thereof.

Mr. DOEHLA, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 858, entitled:

An Act to amend section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records.

Mr. ROBINSON, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 135, entitled:

An Act to amend section five and to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by abolishing the Schuylkill River Desilting Fund.

He also from the Committee on Agriculture, reported as committed, House Bill No. 991, entitled:

An Act to further amend the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk and cream; providing penalties for the violation thereof; and providing for the enforcement thereof;" by defining skim milk and providing for methods of standardization of milk.

Mr. LLOYD H. WOOD, from the Committee on State Government, reported as amended, Senate Bill No. 827, entitled:

An Act creating a commission to make a study and investigation of the administration of public assistance, providing for the membership thereof, prescribing its powers and duties, empowering it to subpoena witnesses and records, prescribing penalties and making an appropriation.

He also from the Committee on State Government, reported as amended, House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties.

He also from the Committee on State Government, reported as amended, House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures.

He also from the Committee on State Government, reported as committed, House Bill No. 289, entitled:

An Act to further amend section three of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," ex-expenses; prescribing their duties; prohibiting vendors tending the provision thereof to measuring devices.

He also from the Committee on State Government, reported as committed, House Bill No. 153, entitled:

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

He also from the Committee on State Government, reported as committed, House Bill No. 287, entitled:

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescribing minimum penalties.

Mr. LETZLER, from the Committee on Education, reported as committed, House Bill No. 731, entitled:

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain pro-

visions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors.

Mr. WATSON, from the Committee on Education, reported as committed, House Bill No. 871, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicls, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for additional examinations for school bus operators; and further regulating safety requirements for school buses and the meeting or overtaking of school buses while taking on or discharging school children.

Mr. WATKINS, from the Committee on Education, reported as committed, House Bill No. 173, entitled:

An Act to amend section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year

He also from the Committee on Education, reported as committed, House Bill No. 228, entitled:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent

Mr. MALLERY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 841, entitled:

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by exempting certain property held in the joint names of husband and wife.

Mr. TALLMAN, from the Committee on State Government, reported as committed, Senate Bill No. 748, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commissions to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," by extending the power and duties of the commission.

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 819, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by clarifying the definition of State employe.

Mr. FRAZIER, from the Committee on State Government, reported as amended, House Bill No. 425, entitled:

An Act to further amend sections two hundred two and two hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," to include the Unemployment Compensation Board of Review, Unemployment Compensation Referees, and the Pennsylvania Labor Relations Board in the Department of Labor and Industry, and to delete the Industrial Board as an Advisory Board.

Mr. YOSKO, from the Committee on Judiciary General, reported as committed, House Bill No. 614, entitled:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases.

Mr. SNOWDEN, from the Committee on Corporations, reported as amended, Senate Bill No. 720, entitled:

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served; and providing for judicial review of orders of the Commission relating to such certificates; and providing penalties.

Mr. BERGER, from the Committee on Judiciary General, reported as committed, House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

Mr. HARE, from the Committee on Education, reported as amended, Senate Bill No. 626, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by making certain corrections and additions to conform to existing law; and eliminating inoperative provisions.

He also from the Committee on Education, reported as amended, House Bill No. 508, entitled:

An Act to amend section one thousand three hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

He also from the Committee on Education, reported as committed, House Bill No. 229, entitled:

An Act to amend section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of schools directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, House Bill No. 1300, entitled:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law.

He also from the Committee on Elections, reported as committed, Senate Bill No. 797, entitled:

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

He also from the Committee on Elections, reported as amended, House Bill No. 764, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of certain election officials in counties of the first class; and changing the requirements for delivery of voting machine keys; for the preparation of duplicate return sheets in certain cases; for the payment of certain campaign expenses; for the filing of expense accounts and the delivery of blanks therefor.

Mr. MAHANY, from the Committee on Judiciary General, reported as amended, Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrian, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making municipalities jointly liable for negligence of their employes driving horse drawn vehicles.

He also from the Committee on Judiciary General, reported as committed, House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled

"An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

He also from the Committee on Local Government, reported as committed, House Bill No. 703, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

Mr. PECHAN, from the Committee on State Government, reported as committed, House Bill No. 609, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departemtns, boards and commissions shall be determined," by reenacting and amending subsections (e), (f) and (h) of section five hundred eight, and by adding section five hundred twenty-eight to the said act authorizing administrative departments, boards and commissions, with the approval of the Governor, to enter into contracts with State Authorities.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. PECHAN from the Committee on State Government, to which was referred resolution offered by Mr. STIEFEL, on January 25, 1949, reported the same without amendment as follows, which was laid over for one day under the rules:

ERECTION OF A STATE HOUSE IN THE CITY OF PHILADELPHIA

In the Senate, January 25, 1949.

Whereas, The dispersal and inconvenient location of the offices of the various departments, commissions, bureaus, and boards of our State Government in the City of Philadelphia is not conducive to efficiency and economy and above all not commensurate with the dignity and greatness of the Commonwealth of Pennsylvania and,

Whereas, The rentals paid by the Commonwealth for its Philadelphia offices for the last two decades would have amply covered the costs of an imposing state-owned building erected structurally and artistically according to the highest and most modern standards of office-building architecture, and

Whereas, The acoustics and accommodations of the rooms ocupied by the State Courts in the City Hall of Philadelphia are deficient and functionally inadequate, thus requiring changes that cannot be longer delayed, and

Whereas, There is thus a definite need now extant in Philadelphia for the erection therein of a State Court House and Office Building, and

Whereas, recently the City of Philadelphia and the Pennsylvania Railroad Company have agreed that the so called "Chinese Wall," running from Broad Street Station to 30th Street Station parallel to Market Street be removed and a ninety-feet wide boulevard laid out upon the tract of land now covered by said "Chinese Wall" and that as a part of this development the future width of Fifteenth Street between the proposed boulevard and Market Street is to be fixed at sixty-seven feet and that of Sixteenth Street at seventy-feet, and

Whereas, The execution of the aforesaid agreement between the City of Philadelphia and the Pennsylvania Railroad Company will place at the disposal of the City of Philadelphia an available site within less than one hundred yards from City Hall having a length of three-hundred sixty-feet and a depth of two-hundred eight feet and thus admirably suited for the erection thereon of a State Court House and Office Building.

Now be it therefore resolved (if the House of Representatives concur) that:

(a) The Joint State Government Commission appoint a committee to make a study of the locational and dispersional inconveniences of the several State Offices in Philadelphia and the effect thereof upon the efficiency of the services rendered.

(b) That the City of Philadelphia be urged by the General Assembly of Pennsylvania to place at the disposal of the Commonwealth of Pennsylvania the aforesaid site for the erection thereon of a State Court House and Office Building.

(c) That His Excellency the Governor of Pennsylvania be urged to order a study by his subordinates of the suitability of the aforesaid site for the erection thereof of a State Court House and Office Building, as well as the advisability of such a project.

(d) That the General Assembly of Pennsylvania enact such legislation that may be necessary for the initiation of the project.

(e) That the Secretary of the Senate forwards copies of this resolution to His Excellency the Governor of Pennsylvania, to the Mayor of Philadelphia, and to the President of the Pennsylvania Railroad.

REPORTS FROM COMMITTEES

Mr. STIEFEL, from the Committee on State Government, reported as committed, Senate Bill No. 619, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand

nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State Funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 812, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of a lot of ground and Tiadaghton Elm tree in Clinton County, Pennsylvania, to establish the same as an historic monument.

Mr. DiSILVESTRO, from the Committee on Judicary General, reported as commtted, Senate Bill No. 850, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

Mr. HALUSKA, from the Committee on Education, reported as committed, House Bill No. 1005, entitled:

An Act to amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by authorizing the boards of school directors to add names to the tax assessment lists, and tax duplicates.

He also from the Committee on Education, reported as committed, Senate Bill No. 614, entitled:

An Act to further amend subsection seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting employes to withdraw from the public school employes' retirement system in the event that such employes should become eligible for coverage and benefits under the old age and survivors' insurance provisions of the federal Social Security Act by future action of the Congress of the United States.

SENATE RESOLUTION

REPORTED FROM COMMITTEE

Mr. BARRETT, from the Committee on State Government, to which was referred resolution offered by Mr. TALLMAN, on March 30, 1949, reported the same without amendment as follows, which was laid over for one day under the rules:

REQUESTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY AND REVISION OF THE ADMINISTRATIVE CODE OF 1929

In the Senate, March 30, 1949.

Whereas, Under Senate Resolution, Serial No. 33, adopted March 10, 1947, the Joint State Government Commission was requested during the interim between the 1947 Session of the General Assembly and its next regular session to make a study and revision of "The Administrative Code of 1929," and the laws on subjects related thereto or within the scope thereof, and to include in said revision additions, eliminations and the revamping of boards, commissions and agencies where the ends of efficient administration would be best served thereby, and to present the revision for the consideration of the General Assembly; and

Whereas, Such study and revision has proven more time-consuming than originally anticipated; therefore be it

Resolved, That the Joint State Government Commission is hereby requested to continue its study and revision of "The Administrative Code of 1929" and related matters as provided under Senate Resolution, Serial No. 33, adopted March 10, 1947, and to present such revision for the consideration of the General Assembly at its next regular session.

REPORTS FROM COMMITTEES

Mr. BARRETT, from the Committee on State Government, reported as committed, Senate Bill No. 825, entitled:

An Act to further amend subsection (d) of section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by increasing the salaries of the chairman and members of the Pennsylvania Labor Relations Board.

He also from the Committee on State Government, reported as committed, House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of

payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly

Mr. LEADER, from the Committee on Agriculture, reported as committed, House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

He also from the Committee on Education, reported as committed, House Bill No. 709, entitled:

An Act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent.

He also from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances, loaded firearms and loose ammunition.

Mr. TARR, from the Committee on Education, reported as committed, House Bill No. 572, entitled:

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of a filing system for rating cards in office of the county superintendents by boards of school directors in districts under his supervision

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by changing the method of computing payments in lieu of devices at dams to enable fish to migrate and increasing the amount of maximum payments

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MIFFLIN COUNTY

John D. Tyson (Republican), The Standard Steel Works Division of the Baldwin Locomotive Works, Burnham, Mifflin County, to serve until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

WESTMORELAND COUNTY

Clyde S. Waugaman (Republican), 426 Franklin Avenue, Vandergrift, Westmoreland County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice Robert M. Withington, Vandergrift, resigned.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 114, entitled:

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district.

He also from the Committee on State Government, reported as committed, Senate Bill No. 692, entitled:

An Act creating a Commission on the Birthplace of William Penn, prescribing its powers and duties; and making an appropriation.

Mr. MEADE, from the Committee on State Government, reported as committed, Senate Bill No. 749, entitled:

An Act to add a new section to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," increasing retirement allowances through an additional State annuity and making such increases applicable to members heretofore retired.

He also from the Committee on Judiciary General, reported as committed, House Bill No. 835, entitled:

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 795, entitled:

An Act authorizing the Department of Forest and Waters to acquire two tracts of land in Somerset and Bedford Counties, to be used as a State park under the jurisdiction of the Department of Forest and Waters, and devoted to hunting, fishing and recreational purposes; and making an appropriation.

He also from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 487, entitled:

An Act to repeal subsection (v) of section one thousand four hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the special fund for game lands.

He also from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 986, entitled:

An Act to amend sections three hundred two, three hundred three, three hundred eleven and one thousand four hundred one, of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto" by establishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident trapper's license and fixing the fee for the same increasing agents compensation and providing for the use of certain amounts from resident license fees.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. ROSENFIELD, from the Committee on State Government, reported as amended, Senate Bill No. 780, entitled:

An Act to further amend the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholsesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by further defining and regulating persons engaged in the sale of cigarettes; authorizing the department to pay commission on tax stamps purchased by distributors; increasing fees; providing for appeals from decisions and orders of the department; authorizing the issuance of permits to out of State distributors.

He also from the Committee on Judiciary General, reported as committed, Senate Bill No. 803, entitled:

An Act to further amend clauses (c) and (d) of section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by permitting the judges of the County Court of Allegheny County to hear and determine criminal issues and matters in the Court of Quarter Sessions of the Peace in Allegheny County when called upon by the presiding judge of said court so to do.

Mr. McPHERSON, from the Committee on Insurance, reported as committed, Senate Bill No. 760, entitled:

An Act to further amend the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-seven (P. L. 2063), entitled "Providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

He also from the Committee on Insurance, reported as amended, Senate Bill No. 761, entitled:

An Act providing for payment into the State Treasury through the Department of Revenue, without escheat, of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth; requiring reports of such funds by such life insurance companies; requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds; conferring powers and imposing duties on certain State officers, boards and departments; idemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue; providing for refunds of such funds; requiring the Department of Revenue to keep certain records; exempting certain unclaimed funds; making certain other status inapplicable; and prescribing penalties.

He also from the Committee on Insurance reported as committed, Senate Bill No. 762, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 878), entitled "An act providing for the escheat of deposits of

money or property of another received for storage or safekeeping; the dividends, profits, debts, and interest on debts of corporations, companies, banks, trust companies, insurance companies, limited partnerships, and partnership associations, organized under the laws of this Commonwealth, except mutual saving-fund society not having a capital stock represented by shares, and except also building and loan associations, and property held for the benefit of another by the same, and the profits, accretions, and interest on such property, as well as interest thereon accrued, or which should have accrued, between the fixing of the amount of such property by the award of any court and the actual distribution thereof," as amended, by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

BILLS INTRODUCED AND REFERRED

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 853, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 854, entitled:

An Act to amend subsection two of section two of the act, approved the tenth day of July, one thousand nine hundred forty-one (P. L. 307), entitled "An act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledge, and to make uniform the law with reference thereto," by clarifying interest rate which may be charged on trust receipt transactions.

Which was committed to the Committee on Judiciary General.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 855, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by adding a new paragraph (g) to authorize the investment of such funds in other authorized or legal investments permitted to fiduciaries.

Which was committed to the Committee on State Government.

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 856, entitled:

An Act to add section four point one to the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," by providing for the issuance of licenses as certified public accountants to experienced persons under certain circumstances.

Which was committed to the Committee on Education.

Mr. DOEHLA read in his place and presented to the Chair Senate Bill No. 857, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote post-high-school vocational education.

Which was committed to the Committee on Appropriations.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 858, entitled:

An Act providing for the recovery of certain consequential damages in eminent domain proceedings in certain cases.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 859, entitled:

An Act to add clause (m) to section one hundred eight to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out and in the ciurse of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including heart dsease within the meaning of term "occupational disease" in the case of police and firemen.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 860, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employes; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals there-

from; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 861, entitled:

An Act to add clause (M) to section one hundred eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational disease; making an appropriation and prescribing penalties," by including certain lung diseases within meaning of term "occupational disease."

Which was committed to the Committee on Judiciary General.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 862, entitled:

An Act establishing certain requirements of and providing for statements by certain individual sureties where real property is offered as security and making such statements a part of the bond or undertaking under which the same is given.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 863, entitled:

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-five, (P. L. 449), entitled "An act relating to certain sports on Sunday in cases where an admission is charged; permitting certain sports on Sunday for which an admission is charged during certain hours; providing for the licensing of exhibitions thereof where an admission charge is made; and changing the hours during which certain sports may be conducted, staged, and played where the electors are in favor of the same," by extending the provisions thereof to include basketball and ice hockey games, and ice skating exhibitions.

Which was committed to the Committee on Law and Order.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 864, entitled:

An Act prohibiting the employment by State institutions of any person refusing or failing to register and serve in the armed forces of the United States; providing for loss of appropriations for violations and imposing certain duties on heads of departments and of such institutions.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 865, entitled:

An Act making unlawful searches and seizures without a warrant and repealing all laws inconsistent therewith.

Which was committed to the Committee on Judiciary General.

He also read in has place and presented to the Chair Senate Bill No. 866, entitled:

An Act to further amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in has place and presented to the Chair Senate Bill No. 867, entitled:

An Act to further amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in has place and presented to the Chair Senate Bill No. 868, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by increasing the amount of appropriations which may be made to certain veterans' organizations for defraying Memorial and Armistice Day expenses.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 869, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of establishing and operating a poultry laboratory at the Pennsylvania State College and requiring the Poultry Industry to match the funds so appropriated.

Which was committed to the Committee on Appropriations.

Messrs. STEVENSON and CHAPMAN read in place and presented to the Chair Senate Bill No. 870, entitled:

An Act authorizing the court in any proceeding to establish paternity, to order the parties therein, to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted.

Which was committed to the Committee on Public Health and Welfare.

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 871, entitled:

An Act to add section six hundred fifty-five point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making the malicious dissemination of false and defamatory" statements designed to arouse hostility and conflict among various racial, religious and ethnic groups a crime and imposing penalties.

Which was committed to the Committee on Judiciary General.

RESOLUTIONS

MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE FISH AND WILDLIFE SERVICE OF THE DEPARTMENT OF THE INTERIOR TO WITHHOLD FEDERAL FUNDS ALLOCATED FOR THE PROTECTION OF MIGRATORY AND OTHER GAME WITHIN STATES

Messrs. KEPHART, SNOWDEN and TARR, offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, April 6, 1949.

Whereas, The imposition of license fees upon non-residents for the privilege of hunting are becoming grossly disproportionate to the hunting license fees imposed upon residents of a State, and

Whereas, Such non-resident license fees are required not only for the hunting of game which is within the exclusive jurisdiction of the States, but also for the hunting of migratory waterfowl which is within the jurisdiction of the Federal Government, and

Whereas, The Federal Government imposes taxes on the people of all the United States and makes grants back to the several States to be used in connection with the protection or propagation of both migratory and other game, and

Whereas, When a State accepts funds of the Federal Government, provided by the people of all the States, to be spent upon the wildlife in that State, then that State, to some measure, becomes the trustee of such wildlife for the benefit of the people of all the States, therefore be it

Resolved, That the Senate of Pennsylvania memorialize the Congress of the United States and the Fish and Wildlife Service of the Department of the Interior, to withhold all Federal Funds allocated for the protection or propagation of migratory and other game within States, from any State which imposes a hunting license fee upon non-residents in excess of five times the amount of such fees imposed upon residents of that State, and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the presiding officers of both houses of the Congress of the United States, to the Secretary of the Interior, and to the Chief of the Bureau of the Fish and Wildlife Service.

CONCURRENT RESOLUTIONS

RECALLING SENATE BILL No. 603 FROM THE GOVERNOR

Mr. WALKER on behalf of Mr. SNOWDEN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 6, 1949.

Resolved (if the House of Representatives concur), That Senate Bill No. 603, Printer's No. 186, entitled "An act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

ADJOURNMENT SINE DIE

Mr. WALKER on behalf of Mr. TAYLOR, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 6, 1949.

Resolved (If the House of Representatives concurs), That this Regular Session of the General Assembly adjourn sine die, Thursday, April 28th, 1949, at 6:00 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "An Act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," further defining "club."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding im-

portation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connectoin with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further defining "Club."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 54, as follows:

An Act to further amend sections four hundred twenty-two four hundred twenty-three and four hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-two and four hundred twenty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty three (P. L. 286) are hereby further amended to read as follows

Section 422 Sum to Be Spent The county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed [four hundred dollars ($400)] six hundred dollars ($600) Provided that in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75) or so much thereof as was actually expended by such home

Section 423 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed [four hundred dollars ($400)] six hundred dollars ($600) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 2 Section four hundred twenty-four of said act as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 683) is hereby further amended to read as follows

Section 424 Payments It shall be the duty of the county commissioners of each county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars ($75) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

Application for such contribution shall be made by the personal representative of such deceased service man or deceased service man's widow if there be such personal representative if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body and shall be sustained by affidavit as to the facts

Such application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service and that the cost of burial did not exceed the sum of [four hundred dollars ($400)] six hundred dollars ($600)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,

Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 56, as follows:

An Act to further amend sections two and three and to amend section four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) are hereby further amended to read as follows

Section 2 Sum to be Spent The county commissioners of any county of the first class of this State are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed [four hundred dollars ($400)] six hundred dollars ($600) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter if the reason for the delay is satisfactory to the county commissioners Payment shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in any county of the first class in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefore shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his death did not have a legal residence within this Commonwealth if the county commissioners of the county where he died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries such person in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75) or so much thereof as was actually expended by such home

Section 3 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of such county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed [four hundred dollars ($400)] six hundred dollars ($600) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 2 Section four of said act is hereby amended to read as follows

Section 4 Payments It shall be the duty of the county commissioners of each such county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars ($75) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

Application for such contribution shall be made by the personal representative of such deceased service person or deceased service person's widow if there be such personal representative if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body and shall be sustained by affidavit as to the facts

Such application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service and that the cost of burial did not exceed the sum of [four hundred dollars ($400)] six hundred dollars ($600)

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Gelta,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,

Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 327, as follows:

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof and by further regulating insurance in connection with such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause four of subsection B of section fourteen of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effects of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" is hereby amended to read as follows

Section 14 Contents of Contract

* * * * *

B Every installment sale contract shall set forth the following separate items as such and in the following order

* * * * *

4 Insurance premium costs and the cost of any other benefits for the payment of which the seller agrees to extend credit to the buyer The term of such insurance and benefits a concise description of the coverage and the amount of the premium and costs shall be set forth If the precise cost of the insurance is not available at the time the contract is signed an estimated amount ascertained from a chart prepared by the licensee and approved by the administtrator may be set forth in the contract When the cost of the insurance is so estimated the contract shall so state and it shall contain notice to the buyer that the difference between the estimated cost and the actual cost of the insurance including finance charges on such amount will be adjusted at the time of the final payment on the contract and a statement of the amount of the adjustment shall be furnished to the buyer simultaneously with the delivery of the insurance policy or certificate

Section 2 Subsection A of section seventeen of said act is hereby amended to read as follows

Section 17 Insurance

A The buyer of a motor vehicle under an installment sale contract may be required to provide insurance on such motor vehicle at the buyer's expense for the protection of the seller or subsequent holder Such insurance shall be limited to insurance against substantial risk of damage destruction or theft of such motor vehicle Provided however The foregoing shall not interfere with the liberty of contract of the buyer and seller to contract for other or additional insurance [as security for or by reason of the obligation of the buyer] and other benefits and inclusion of the cost [of such insurance premium] thereof in the principal amount advanced under the installment sale contract Such insurance shall be written for the dual protection of the buyer and of the seller or subsequent holder to the extent of his interest in the motor vehicle Provided That if insurance for said dual protection cannot be obtained or is cancelled by the insurance company prior to expiration and comparable insurance with another insurance company cannot be obtained as provided in subsection G of this section seventeen then the seller or subsequent holder may obtain insurance to protect his interest in the motor vehicle and the buyer may be required to pay the cost thereof but under such single interest insurance the insurance company shall not be subrogated to the rights of the insured as against the buyer Such insurance whether dual interest or single interest shall be for an amount and period of time and upon terms and conditions which are reasonable and appropriate considering the type and condition of the motor vehicle the amount of the time balance and the schedule of payments in the installment sale contract

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 389, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred fifty-one eight hundred five eight hundred six and eight hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 751 Work to be done under contract let on bids exception (a) all construction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed three hundred dollars ($300) in school districts [other than school districts of the first class and in school districts of the first class where such entire cost value shall exceed six hundred dollars] of the third or fourth class or five hundred dollars ($500) in school districts of the second class or one thousand dollars ($1000) in school districts of the first class shall be done under contract or contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids provided that if due to an emergency a school plant or any part thereof becomes unusable during the school term competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the Board of School Directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(B) The board of school directors in any school district of the first or second classes either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars ($1000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district of the first and second classes may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is three hundred dollars ($300) or less without soliciting competitive bids

Section 805 Classes of School Supplies Purchasing Agent School supplies shall be divided into two classes the first class shall include school desks chairs typewriters and school apparatus The second class shall include maps globes and all other supplies except textbooks necessary for school use not included in the first class The Board of School Directors in any district may authorize or appoint the secretary of the Board or other executive or purchasing agent for the district with authority to purchase supplied of either class costing less than three hundred dollars ($300) in districts of the first or second class and less than one hundred dollars ($100) in districts of the third or fourth class without soliciting bids and without public notice

Section 806 Purchase of Supplies of the First Class [costing $100 or more] When it is deemed necessary to purchase desks or other supplies of the first class costing three hundred dollars ($300) or more in districts of the first or second class or one hundred dollars ($100) or more in districts of the third or fourth class the Board of School Directors shall solicit sealed quotations from two or more firms manufacturers or dealers in such supplies such quotations shall be opened at a regular or special meeting of the Board of School Directors the board shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal but they shall have the right to reject any and all bids or select a single item from any bid Any school district may purchase school furniture and other equipment from another school district without asking for competitive bids

Section 807 Purchase of Supplies of the Second Class [costing $300 or more] (a) all supplies of the second class costing one thousand dollars ($1000) or more in school districts of the first class or five hundred dollars ($500) or more in school districts of the second class or three hundred dollars ($300) or more in school districts of the third or fourth class shall be purchased and contracts therefor awarded only after public notice has been given by advertisement published once each week for three weeks in not less than two newspapers of general circulation in any district where no newspapers is published said notice may in lieu of such publication be posted in at least five public places such advertisement or notice shall give all necessary information or give notice of convenient access thereto in such manner that bidders can intelligently make bids for such contracts

The Board of School Directors shall accept the lowest bid or bids kind quality and material being equal but shall have the right to reject any and all bids or select a single item from any bid

(b) The Board of School Directors may purchase supplies costing less than one thousand dollars ($1000) in school districts of the first class less than five hundred dollars ($500) in school districts of the second class and less than three hundred dollars ($300) in school districts of the third and fourth classes from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies

Section 2 The Act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1077) entitled "An act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature" is hereby repealed

Section 3 The provisions of this act as well as the provisions of the sections amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,

Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, as follows:

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith

Whereas No state in our Nation is so dependent for its industrial progress and the maintenance of its prosperity on the informed use and full development of the natural sources of its mines its soil its waters and its forests as is the Commonwealth of Pennsylvania and

Whereas No program for the development and conservation of our resources can succeed without full public awareness of their economic and social importance to ourselves and to the future citizens of the State and

Whereas Conservation touches many closely related considerations of soil forests waters wild life minerals industrial practices urban institutions and human resources and adequate and effective education therein draws upon the biological and physicial sciences the social studies and humanities and

Whereas There is at present a lack in our institutions of liberal education of adequate programs to develop the full awareness of these problems and to prepare students for active participation in many lines of endeavor whether in industry in government services or in the teaching profession where conservation is becoming of paramount importance therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is hereby declared to be the policy of the State government to promote the conservation wise use and full development of its natural resources in the interest of our prosperity and future welfare and to encourage and support sound undertakings in general education for the promotion of the conservation of our natural and human resources

Section 2 The sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby specifically appropriated to Washington and Jefferson College for the two fiscal years beginning June first one thousand nine hundred forty-nine for the establishment and maintenance of a four-year undergraduate program in conservation education as a part of its comprehensive program in the liberal arts and sciences

Section 3 In as much as an important element in this pioneer program of conservation education is the development of new techniques and course materials Washington and Jefferson College each year shall make available to the Pennsylvania State Planning Board a report on its program and the techniques developed therefor Reports on any basic conservation research which may be undertaken as a part of this education program shall also be submitted to the State Planning Board

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, the bill we are about to consider I believe entails a few remarks by myself, and I am speaking on behalf of the co-sponsor, the gentleman from Indiana, Senator Peelor, and myself. This is in regard to conservation education for Washington and Jefferson College, and we will have been partly successful if we have passed in the Senate this bill appropriating $50,000 for that purpose.

Mr. President, I want to briefly outline the objectives and put it in the record, because I hope the Members of the House, if it passes the Senate, will go along with this measure, because first of all Washington and Jefferson is in my county, and I am vitally interested in that college, and I hope that we have the opportunity to increase our curriculum.

Mr. President, rather than take up the time of the Senate in reading the outline that I have in hand, I would ask that it be spread on the Legislative Journal for the information of the Members of the House.

"By vote of its faculty on 17 January 1949 and of the Executive Committee of its Board of Trustees on the following day, Washington and Jefferson College has committed its energies and resources to an attempt to develop a four-year undergraduate program in Conservation Education as a part of its comprehensive program in liberal education.

"The program is conceived as an application of liberal education to a major social problem. It is to be subject to all the requirements of the new curriculum (adopted and introduced in 1947) including those of distribution, concentration and the humanistic courses common to all students in each year. It offers opportunities to prepare for professional work at the graduate level parallel to those which the curriculum now affords students intending to enter teaching, the law, medicine, the ministry or business.

"The educational objective of the Conservation Program is to present a new discipline on which knowledge of other disciplines must be focused and in which such knowledge may be fused into a significant unity. The proposed program, for example, will draw what is appropriate from the several scientific disciplines of geology, zoology, botany, chemistry, physics, physiology and psychology; the social studies of geography, economics, sociology and political science; and such humanistic studies as history, pholosphy and literature. Mathematics, particularly statistics, is almost indispensable to the practice of any of the many professions related to conservation. Modern foreign languages furnish not only linguistic tools but valuable insights into contemporary cultures where conservation problems are at least as pressing as in our own. Thus virtually every discipline appropriate to a college of liberal arts and sciences will make its contribution.

"The social objectives of the program are several First of all we shall try to produce men who are concerned about the many-sided problem of using, rather than abusing, our natural and human resources. Second we shall hope to predispose men toward and prepare them for professional study in such fields as industrial conservation and reclamation of waste, forestry, city and regional planning, soil conservation and social work. Ultimately, if our attempt is successful, conservation-minded men of vision and of general competence (whom we have trained) will be found in significant positions in

industry, government, business and teaching so that their concern for achieving the required relationship between man and his whole environment may find the saving means of expression.

"A further social objective of the program must be presented in somewhat tentative form until we have had an opportunity to test its validity. We believe that case studies in the field (analogous to laboratory work) constitute an appropriate method of study for students majoring in Conservation. Our plans call for a Director and a Research Professor to supervise field studies. We plan further to release several members of our own staff for parttime participating in these projects, and to appoint research assistants. It is possible that studies in local and neighboring areas may result in reports of value to the Commonwealth and to the communities and industries immediately concerned. Such reports would include data from observation by undergraduates and recommendations by the supervising research staff.

"Western Pennsylvania has been highly favored in the wealth and variety of its natural resources. In many respects its people have been heedless and reckless in their exploitation—and despoliation—of these resources. At present the area offers extraordinary opportunities for observing, studying and correcting harmful practices in farming, in industry and in urban development. Fortunately, an awareness of the importance of connecting such abuses now begins to be apparent.

"Fortunately too, there is a growing awareness that no single approach to past and present abuses offers a cure. The issue of forestry is related to that of soil conservation, water supply, flood control, urban practices, industrial processes and many other kindred activities. It is our contention that only the liberally educated man, acquainted with basic scientific concepts and laws, familiar with social, economic and political habits, practices and objectives, and possessed of the insights afforded by the humanistic disciplines of letters and philosophy can even conceive of the properly integrated approach.

"Because it is a college of liberal arts and sciences located in the Pittsburgh area, Washington and Jefferosn College is in a favored position to undertake a significant experiment in Conservation Education. Because its faculty is strong and is enthusiastically committed to the program, it is in a favorable position to carry that program to success.

"Under the tentative plan of operation the proposed program will affect students in several ways. The fact that it is to be entirely within the framework of the general curriculum and will draw largely upon the members of our regular teaching staff insures that every student will at least be exposed to Conservation. General courses constituting a formal introduction to conservation problems will be available as electives for all students and may be recommended for students majoring in other disciplines.

"The complete four-year program is designed for a selected group of not more than 50 students from each entering class. Some of these students will proceed to professional study at the graduate level.

"In order to initiate the program in September 1949 with a group of entering freshmen (and even, perhaps, with a small group of students beginning their sophomore year) the College plans the following steps, provided financial assistance can be promptly secured:

"1. Obtain the temporary services of a special consultant whose functions would be to

"a) Consult with the faculty in order to limit and define the program in more specific terms;

"b) acquaint business and industry with the program and obtain their interest and support;

"c) advise with the college administration upon the formation of a national advisory committee; and

"d) assist the College in selecting a program Director.

"(This step should be taken at once.)

"2. Select and activate a national advisory committee if the creation of such a committee is warranted.

"(This step, if warranted, should be taken by May 1949.)

"3. Select a program Director.

"(This step should be taken by 1 June 1949.)

"4. Develop and adopt a curriculum for majors in Conservation.

"(This step should be taken during the summer of 1949.)

"5. Select a Research Professor.

"(This step should be taken by 1 September 1949.)

"6. Select personnel from the regular teaching staff for part-time participation in the program for the development of case studies in the field.

"(This step should be taken during the summer of 1949.)

"7. Appoint research assistants to prepare and conduct case studies in the field.

"(This step is not contemplated until September 1950.)"

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, entitled:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervisors and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the bill, page 8, by inserting between lines 14 and 15 the following:

Section 2. The provisions of subsection (e) of section ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," as amended by the act approved the twenty-fourth day of March, one thousand nine hundred forty-nine (Act No. 23), is hereby repealed except in so far as it directs the payment of one cent per gallon of the additional tax into the Motor License Fund.

Amend Sec. 2, page 8, line 15, by striking out the figure "2" and inserting in lieu thereof: "3."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 453, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 628, as follows:

An Act to amend section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing the issuance of authorized but unissued stock to officers and employes of company or subsidiary upon approval of majority of stockholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty-six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workment's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 326 Sale of Increases of Capital Stock Issuance to Officers or Employes Any increase if capital made by any stock insurance company may be issued at such price in excess of par as the stockholders may direct Each stockholder shall have the right to first subscribe for the new shares in proportion to his interest in the company Notice to the stockholders to exercise their rights to subscribe for and to take the stock at the price so fixed or waive such right shall be mailed to each stockholder at the last address of such stockholder appearing on the books or records of the company thirty days previous to the date fixed by the board of directors for the expiration of the right to subscribe and shall also be given by publication once a week for three (3) weeks in a newspaper of general circulation published in the city or county in which the company has its principal office

Any stock not subscribed for and taken by the stockholders may be sold and disposed of by the board of directors in such manner as the stockholders may direct but no such stock shall be sold or disposed of at a price less than that originally fixed by the stockholders

Anything in this section to the contrary notwithstanding any stock insurance company may issue to its officers or employes or to the officers or employes of any subsidiary corporation or to a trustee on their behalf such number of its authorized but unissued shares as shall be prescribed by the stockholders having the majority interest Such shares shall be issued at such times and upon such terms and conditions and in such manner as shall be determined by the board of directors

Any such stock authorized to be issued to officers or employes and not taken by those entitled thereto may be sold and disposed of in such manner as the board of directors may determine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 640, as follows:

An Act to repeal section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carriel by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" relating to the right of certain mutual fire insurance companies to become stock companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 642, as follows:

An Act to amend section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating reserves with respect to domestic mutual fire insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred seven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 807 Reserves A mutual insurance company other than a mutual life company shall maintain unearned premium and other reserves separately for each kind of insurance upon the same basis as that required of domestic stock insurance companies transacting the same kind of insurance except that the Insurance Commissioner may by written order fix a different basis of reserve for losses and claim in workmen's compensation insurance Any reserve for losses or claims based upon the premium income shall be computed upon the net premium income after deducting any so-called dividend or premium returned or credited to the member The provisions relating to unearned premium reserve shall not apply to [a domestic mutual fire insurance company issuing policies with limited or unlimited liability to assessment set forth in the policy contract or in the promissory note attached to said policy] policies issued by a domestic mutual fire insurance company which policies set forth therein or in the promissory note attached thereto a limited or unlimited liability to assessment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,

Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 669, as follows:

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise tnd regulate the exercise of legislative powers by administrative agencies of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to its present powers the Joint State Government Commission shall have the power

(1) To supervise and regulate all administrative boards commissions departments and other agencies of the Commonwealth except political subdivisions in the exercise of the legislative power delegated to them by the General Assembly and to determine whether such agencies are carrying out the laws administered by them in accordance with the standards policy and intent set by the General Assembly

(2) To designate one of its members or some other member of the General Assembly to sit without vote on any board commission or agency to observe the manner in which powers delegated to such agency by the General Assembly are administered and report the same to the commission

(3) To designate an executive committee consisting of seven (7) of its members who shall be authorized to exercise the powers and functions of the commission subject however to the control and direction of the commission and the General Assembly either of which may overrule and nullify any action of the executive committee

(4) To sit during and in the interim between legislative sessions

(5) To render a report of its findings and actions to the General Assembly on or before the twentieth day of January of each odd-numbered year

Section 2 The commission shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it or its executive committee and to answer such questions touching matters properly being inquired into and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of the commission shall have power to administer oaths and affirmations to witnesses appearing before it or its executive committee If any person shall wilfully neglect or refuse to testify before the commission or its executive committee or to produce any books papers records or documents the commission or any member thereof may apply to the court of common pleas of the county having jurisdiction of such person to compel him to comply with the direction of such subpoena

Section 3 Biennially an item shall be inserted in the General Appropriation Bill to pay the expenses of the members of the commission the members of the General Assembly designated to serve as herein provided and for clerical and other assistance and expenses

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. STIEFEL. Mr. President, are we on Senate Bill No. 669?

The PRESIDENT. Yes.

Mr. STIEFEL. Mr. President, I did not have a chance to voice my objection to it. I believe I should have an opportunity now to say something about it. I did not vote for it.

The PRESIDENT. Does the Senator want to express his objection?

Mr. STIEFEL. Mr. President, I want to state my objection as to why I am voting "no" for it.

The PRESIDENT. The vote has not been announced. What does the Senator desire?

Mr. WALKER. Mr. President, I do not desire to be technical with the gentleman from Philadelphia, Senator Stiefel. As I understand it, the roll call was not announced.

Mr. President, I would like to respectfully suggest to the gentleman that there is nothing before the Senate now but the announcement of the roll call. If the gentleman desires to explain his vote, I have no objection to that.

Mr. STIEFEL. Mr. President, I do not desire to be technical either, but I believe this system of hurried announcement of a vote is rather contrary to the basic principles of democracy.

Mr. WALKER. Mr. President, I am sorry, there is nothing before the Senate but the announcement of the roll call.

The PRESIDENT. Does the Senator desire to be recorded as voting "no"?

Mr. STIEFEL. Yes, Mr. President.

The PRESIDENT. The Senator will be so recorded.

Mr. STIEFEL. Mr. President, am I to understand that I am deprived of an opportunity to explain why I am casting my vote in the negative?

The PRESIDENT. After the vote has been announced, the Senator from Philadelphia may explain his reasons for voting in the negative.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Frazier,	Meade,	Taylor,
Barrett,	Geltz,	Neff,	Toole,
Berger,	Haluska,	Pechan,	Wade,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Tallman,	Wood, T. N.,
Donlan,	Mahany,	Tarr,	Yosko,
Farrell,	McPherson, Jr.,		

NAYS—4

Hare,	Mallery,	Stevenson,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, as to Senate Bill No. 669, just passed, I agree with the premise of the bill, but I differ with the methodology adopted by it. I believe that one of the safeguards of the American system of Government is the systems of checks and balances, checks and balances between the Executive Department of the Government and the Legislative.

Now, Mr. President, in my opinion the passage of this bill is going to interfere with the functions of our state government. The only method to accomplish the purpose of this bill would be the establishment of an administrative court. This way all our executive departments in Harrisburg will be in constant fear of interference from the Legislature.

Of course, Mr. President, I am not worried about the passage of the bill. I have stated before, and I am stating now, that I have respect for Governor Duff as an outstanding political scientist. Not being a Drew Pearson, I do not venture any predictions, but I am sure Governor Duff is going to veto this bill.

BILLS RECOMMITTED

Mr. HARE. Mr. President, I move that House Bill No. 673, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases.

be recommitted to the Committee on Judiciary General.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Mr. HARE. Mr. President, I move that House Bill No. 678, on third reading, entitled:

An Act to further amend paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of the word "university" in corporate names except in certain cases.

be recommitted to the Committee on Judiciary General.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 702, as follows:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Military Code of 1949"

Section 102 Conformity with Federal Legislation It is the intent of this act that it shall be in conformity with all acts and regulations of the United States affecting the same subjects and all provisions hereof shall be construed to effectuate this purpose

Section 103 Definition As used in this act the words "National Defense Act" shall be taken to mean the act of Congress entitled "An act for making further and more effectual provisions for the National Defense and for other purposes" approved the third day of June one thousand nine hundred sixteen its amendments and supplements

Article II

The Militia

Section 201 Composition The militia of the Commonwealth of Pennsylvania shall consist of all able-bodied male citizens of the United States and all other able-bodied males who are or shall have declared their intentions to become citizens of the United States residing within the State who are at least eighteen years of age and except as hereinafter provided not more than forty-five years of age and such other persons as may upon their own application be enlisted or commissioned therein

Section 202 Division of Militia The militia of this State shall be dvided into three classes the Pennsylvania National Guard or during their absence under call or order in the service of the United States the Pennsylvania Guard the Naval Militia or during their absence under call or order in the service of the United States the Pennsylvania Naval Militia and the unorganized militia

Section 203 Unorganized Militia The unorganized militia shall consist of all persons liable to service in the militia

who are not members of the Pennsylvania National Guard or Naval Militia and when organized the Pennsylvania Guard and Pennsylvania Naval Militia

Section 204 Enrollment of Militia Whenever the Governor deems it necessary he may order an enrollment to be made of all persons liable to service in the militia by volunteer or draft The enrollment shall be accomplished and exemptions from liability to perform militia duty shall be determined and established in accordance with rules and regulations to be prescribed by the Governor Any person required to perform any act under this section who neglects or refuses to properly perform said act shall be guilty of a misdemeanor When so enrolled the members shall be mustered into existing or new units and a record thereof made in the Department of Military Affairs The members so inducted shall be governed and disciplined according to the laws of the State and the United States and shall be entitled to all rights and privileges under the existing laws The provisions of this section shall in no way conflict with any Federal Selective Service or Draft Act in operation at the time

Section 205 Exemption From Militia Duty (a) The following persons shall be exempt from Militia duty

(1) Persons exempt from militia duty by the laws of the United States

(2) Persons who shall have held the office of Governor or Lieutenant-Governor of the State

(3) Persons of the following description so long as they shall remain of said description

The Lieutenant-Governor
Secretary of the Commonwealth
Secretary of Internal Affairs
Secretary of Agriculture
Secretary of Banking
Secretary of Highways
Secretary of Property and Supplies
Secretary of Commerce
Secretary of Labor and Industry
Secretary of Forests and Waters
Secretary of Health
Secretary of Revenue
Secretary of Public Assistance
Secretary of Welfare
Secretary of Mines
Attorney General and Deputy Attorneys-General
Auditor General
State Treasurer
Insurance Commissioner
Superintendent of Public Instruction
Chairman Public Utility Commission
Chairman Liquor Control Board
Commissioner of Fisheries
Chairman Milk Control Board
Commissioner Pennsylvania State Police
Director Legislative Reference Bureau
Chairman State Civil Service Commission
Chairman Pennsylvania Board of Parole
The members of both houses of the General Assembly and the officers of said houses
The Justices and Clerks of the Supreme Superior Common Pleas Orphans' and other courts
Recorders of deeds
Mayors Commissioners Sheriffs Chiefs of Police Directors Heads of principal departments and divisions of city town county borough and township governments
Justices of the Peace
Ministers of the Gospel
Members of the Pennsylvania State Police
All persons who because of religious belief shall claim exemption from militia service if the conscientious holding of such belief for such person shall be established under the regulations prescribed by the Governor shall be exempted from militia service in a combatant capacity but no person so exempted shall be exempt from militia service in any capacity that the Governor shall declare to be noncombatant

(b) This section shall not be construed to prevent any person mentioned from voluntarily enlisting or accepting a commission in the militia

Section 206 Active State Duty The enrolled militia shall be subject to no active duty on State call except in case of war invasion the prevention of invasion disaster peace and war the suppression of riots and to aid civil officers in the execution of the laws of the Commonwealth in which cases the Governor shall order out for actual service as many of the enrolled militia as necessity demands This section is in no way to be construed as conflicting with the call or ordering of the Pennsylvania National Guard or the Naval Militia into the service of the United States under its dual capacity as part of the National Guard of the United States and Naval Forces of the United States respectively

Section 207 Penalty For Failure to Report For Duty Every member of the militia when enrolled by volunteer or draft who does not appear at the proper time and place for drill or instruction shall be liable to such punishment as a court martial may upon conviction determine and any member of the enrolled militia who fails to appear at the proper appointed place for active service when so ordered by proper authority shall be liable to such punishment as a general court martial may upon his conviction determine

Section 208 United States Laws Apply to Militia All acts of the Congress of the United States regulations issued thereunder the articles of war forms precedents customs and usages relating to and governing the army of the United States the United States Navy and the militia shall in so far as the same are applicable and not inconsistent with the Constitution of this State apply to and govern the militia of this State

Section 209 Draft of Militia When at the discretion of the Governor it becomes necessary to employ the draft process in this act for the purpose of providing personnel for the Pennsylvania National Guard or Pennsylvania Guard in order to insure proper military organizations to maintain the internal security he is authorized to establish a draft board composed of not more than three civilians and such commissioned officers of the Pennsylvania National Guard or Pennsylvania Guard to carry out the draft procedure and fix the compensation for this personnel as deemed necessary State Selective Service Headquarters and Boards if in operation will be used to the maximum in assisting and accomplishing this draft

Section 210 Command and Coordination When Various Components of the Organized Militia are Ordered into Active State Service at the Same Time

(a) Whenever the various military and naval forces of the Commonwealth are ordered into active State service at the same time by the Governor the senior officer of the Pennsylvania National Guard shall be in command of the forces so ordered When the Pennsylvania National Guard and the Naval Militia are absent due to a call or order into the service of the United States the senior officer of the line of the Pennsylvania Guard shall command all the State military and naval forces on active State duty

(b) When State armed military or naval forces are ordered on active State duty by the Governor upon request of county city borough or township authorities the military commander as provided in subsection (a) hereof shall have command of all civilian State and other political division law enforcement bodies in the affected area The various civilian law enforcement groups thus included in the overall command shall issue the orders of the commander to the personnel and organizations under their respective jurisdiction

Article III

The Governor as Commander-In-Chief

Section 301 The Governor of this Commonwealth as Commander-In-Chief shall have the powers enumerated

hereafter in this act over the armed military and naval forces of the Commonwealth The armed forces shall be the Pennsylvania National Guard when not under call or order by the President of the United States and when organized the Naval Militia Pennsylvania Guard and the Pennsylvania Naval Militia

Section 302 Acceptance of Quota Pennsylvania National Guard The Governor is hereby authorized and directed to accept for the Commonwealth allotments of troops and their apportionment to the various arms services departments corps or staff proposed by the Department of the Army for the Pennsylvania National Guard and the National Guard of the United States as he may in his discretion deem proper for the Commonwealth to accept consistent with available manpower and the requirements for the internal security of the Commonwealth and National Defense

Section 303 State Obligation Pennsylvania National Guard The Governor is hereby authorized and directed to assume the obligation of carrying out the training requirement set forth under the National Defense Act for the Pennsylvania National Guard This training function is hereby delegated and becomes the responsibility of the normal channels of command in the Pennsylvania National Guard He is further authorized and hereby directed to furnish suitable shelter for personnel and suitable storage facilities for Federal property issued for use of the Pennsylvania National Guard for that part of the accepted quota of troops deemed necessary by him for the internal security of the Commonwealth Allotment of troops above the aforementioned restriction will be furnished suitable shelter and suitable storage facilities for their Federal property when available The Department of Military Affairs will account in the prescribed manner for all Federal funds apportioned and all property provided for the maintenance of the Pennsylvania National Guard

Section 304 Quota Naval Militia To assure the internal security of the Commonwealth and in conjunction with National Defense policy the Governor in his discretion may accept a quota of Naval Militia for the Commonwealth from the Department of the Navy The Governor is authorized to assume the obligation and responsibilities for the training sheltering protection of Federal property and the accounting for funds and property as provided for by the laws of the United States and the rules and regulations promulgated under these laws by the Department of the Navy with the same restrictions and powers of delegation as hereinbefore contained for the Pennsylvania National Guard

Section 305 Location of Military and Naval Units The Governor is hereby authorized and directed to establish the permanent location within the boundaries of the Commonwealth of any assigned authorized organizations or units of the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia allotted to the Commonwealth by the Department of the Army and the Department of the Navy respectively

Section 306 Change in Organization Pennsylvania National Guard The Governor is hereby authorized and directed to alter increase divide annex consolidate disband organize or reorganize any organization unit department corps arm service or staff so as to conform as far as practicable to any arm service organization system drill instruction corps or staff uniform or equipment period of enlistment or qualification and term for commission now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard and Naval Militia

Section 307 Organization of Pennsylvania Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency for the defense of civil population against air gas attack and invasion which shall be known and designated as the Pennsylvania Guard The Governor is further empowered to comply with the laws of the United States and the rules and regulations promulgated thereunder for the organization maintenance and functioning of this force The Governor is further authorized and directed to organize at any time in his discretion a cadre system of Pennsylvania Guard personnel for the purpose of planning and to assure the maximum use of available trained manpower upon the order or call of the whole or any part of the Pennsylvania National Guard into the service of the United States

Section 308 Organization of Pennsylvania Naval Militia In time of war or other emergency during the absence of a Naval Militia or the order or call of the Naval Militia or any part thereof into the service of the United States the Governor is hereby authorized and directed for the purpose of protecting and defending the lakes harbors rivers and waterways of the Commonwealth to organize as may be consistent with the situation an armed naval force hereafter known as the Pennsylvania Naval Militia Further the Governor is empowered to comply with the laws of the United States and the rules and regulations promulgated thereunder for the organization maintenance and functioning of this force The organization authorized shall be formed in accordance with best naval policy and tradition Further the Governor is authorized to bestow naval rank and rating suitable and consistent with the size of the authorized organization

Section 309 Increased Land Force of the Commonwealth The Governor shall have power in case of war disaster invasion insurrection riot or imminent danger thereof to increase the land forces of this Commonwealth and organize the same in accordance with the existing rules and regulations governing the armies of the United States as the exigency of the occasion may require and such organization and increase may be either pursuant to or in advance of any call made by the President

Section 310 Draft of Unorganized Militia The Governor shall have the power to order out for actual service with the armed forces of the Commonwealth by draft or otherwise as many of the militia as necessity demands during a war or other emergency The Governor is hereby authorized to form adopt and prescribe such rules and regulations and appoint such officers and civilian boards and fix their compensation for the purpose of drafting the militia when such process may be required and seem best and most expedient for the premises Any such rules or regulations shall not conflict with Federal Selective Service Act or National Draft Act in effect at the time

Section 311 Active State Duty The Governor may in his discretion place the Pennsylvania National Guard or the Naval Militia or any part thereof or when unavailable due to call or order into the service of the United States the Pennsylvania Guard or the Pennsylvania Naval Militia or any part thereof on active duty when an invasion of the State or an air attack on the State or an insurrection in the State occurs or is threatened or when tumult riot or disaster shall exist or in imminence thereof The word "disaster" as used in this act shall be construed to include only flood cyclone earthquake or similar calamity caused by forces beyond the control of man

Section 312 Coordination with Adjacent States The Governor shall have the power and is hereby authorized and directed to confer with the Governors or proper authorities of adjacent states for the purpose of coordinating and providing for the mutual defense and protection of interstate railroad foot vehicular bridges tunnels and fords and for the exchange of authority where deemed necessary and expedient for the use of the armed forces of the Commonwealth in these other states and the employment of their armed forces within

the boundaries of this Commonwealth This power may be delegated to the Adjutant General of the State of Pennsylvania

Section 313 Promulgation of Regulations and Rules The Governor shall have the power and is hereby authorized and directed to make and publish such rules and regulations from time to time as he may deem expedient for the government regulation assignment and instruction of the armed military and naval forces of the Commonwealth but such regulation shall conform to this act and other laws of the Commonwealth applicable to said forces and as nearly as practicable to those governing similar Federal armed military and naval forces They shall have the same force and effect as the provisions of this act and other acts affecting these forces

Section 314 Flags Standards Guidons The Governor as Commander-in-Chief is hereby authorized to procure and issue from time to time to the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia such flags standards and guidons as may be necessary which shall conform with National Guard regulations and Army regulations promulgated pursuant to the terms and provisions of the National Defense Act

Section 315 Publication of this Act The Governor is hereby authorized and directed to publish this act together with other acts or extracts of acts particularly applicable to the military and naval forces of the State but not included in this act for the convenience and guidance of all concerned He is further authorized to revise and republish revised editions from time to time as he may deem necessary

Section 316 Military Advisory Commission The Governor is hereby authorized to appoint a commission known as the Military Advisory Commission of not to exceed six persons both military and civilian for the purpose of investigating studying advising and recommending on all matters affecting the military and naval forces of the Commonwealth and the internal security of the State The Adjutant General shall be one of the six members of this commission

The commission shall elect from among its members a chairman and a secretary

Article IV

Department of Military Affairs

Section 401 Overall Powers of Department The Department of Military Affairs shall subject to any inconsistent provisions in this act and in the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as the Administrative Code of 1929 and its amendments continue to exercise the powers and perform the duties by law vested in and imposed upon the Adjutant General the Adjutant General's Department the several former bureaus thereof and the Department of Military Affairs

Section 402 Duties of Department The Department of Military Affairs shall have the power and its duty shall be

(1) To distribute all orders from the Commander-in-Chief and perform such other duties as the Commander-in-Chief shall direct

(2) To perform such duties and employ the power delegated to the department and the State Adjutant General by the laws of the United States and the rules and regulations promulgated thereunder

(3) To be an office of permanent record for all personal papers documents and forms pertaining to the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia except where the laws of the United States require certain papers documents or forms to be kept permanently in the National Guard Bureau or other department or section of the Department of the Army or Department of the Navy as the case may be To be an office of permanent record for personnel papers documents and forms pertaining to the Pennsylvania Guard and Pennsylvania Naval Militia

(4) To procure from the proper agency department arm or service of the Department of the Army or the Department of the Navy individual and organizational equipment property and allowances and publications authorized by Tables of Organization and Equipment and Allowance store and issue to the organizations units of the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia in accordance with the aforementioned tables of authorization and when so issued to keep in its custody all books receipts and accounts pertaining thereto as required by law To cause the Pennsylvania National Guard and the National Guard of the United States and the Naval Militia to make returns periodically as required by law or regulation of their property vehicles arms uniforms accoutrements and ammunition and in turn make any required consolidated report on these matters to the Secretary of the Army through the National Guard Bureau

(5) To keep in its custody all books and accounts of military property of the Commonwealth issued to the armed military and naval forces of the Commonwealth and to safely and properly store such property when not issued

(6) To pay the troops and make all other disbursements authorized by law by requisition presented to the Auditotr General in the usual way

(7) To supply all officers organizations and units publications of laws regulations and rules prescribed for use of the military and naval forces of the Commonwealth

(8) With the approval of the Governor as Commander-in-Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interest of the Commonwealth to sell or exchange but if the department is unable to obtain a bid for the property it may be demolished or destroyed The destruction of the property shall be witnessed by three disinterested officers of the Pennsylvania National Guard or when organized Pennsylvania Guard Naval Militia or Pennsylvania Militia and their certificate shall constitute proper authority to issue a voucher for marking off the property All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue

(9) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia other than fixed allowances and to pay such claims when audited and adjusted but all claims paid thereunder shall be subject to audit by the Department of the Auditor General

(10) Subject to the approval of the Governor as Commander-in-Chief to procure and issue from time to time to the Pennsylvania National Guard Pennsylvania Guard and Naval Militia such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

(11) To appoint a board of not less than three commissioned officers of the Pennsylvania National Guard for the purpose of investigating claims for damages based on injuries to persons or damages to property arising out of accident or negligence and incident to the organization training discipline maintenance and service of the Pennsylvania National Guard and upon the recommendation of the board so appointed to adjust and pay such claims for damages Provided however That each such claims shall be in an amount not exceeding two hundred and fifty dollars And provided further however That all claims paid hereunder shall be subject to audit by the Department of the Auditor General And provided further however That no claim shall be paid under the provisions of this paragraph when such claim has arisen from the operation of State owned or Federally owned automobiles when operated by State officers or employes or officers and enlisted men of the Pennsylvania National Guard

(12) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth to investigate all circumstances connected with the death of a soldier whose death is the basis of a claim for a pension subject to audit by the Department of the Auditor General to determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard who is wounded or otherwise disabled while doing duty in active service of the State on satisfactory evidence submitted or obtained to grant such pensions as may now or hereafter be provided by law and issue its requestion to the Auditor General who after auditing the same in the usual way shall draw such warrants upon the State Treasurer therefor to the order of the pensioner as may now or hereafter be provided by law

(13) The Department of Military Affairs shall have the power to issue arms and accoutrements which are the property of this Commonwealth to any essential military college or school where officers of the regular army are detailed as instructors or organizations of veterans of any wars in which the United States has been engaged under such terms and conditions as may now or hereafter be provided by law For the return of any arms and accoutrements issued hereunder the school or organization borrowing the same shall give bond in such amount as the Adjutant General shall determine

(14) To select and make arrangements for ground to be set apart in some historic spot in the Commonwealth as an appropriate space for use as a cemetery for the burial of the bodies of soldiers sailors marines and war nurses who served in the Army or Navy of the United States during times of war who died while in active service or after an honorable discharge and who entered such service while residents of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom on behalf of the Commonwealth to accept the dedication of any lands in a historic spot for use as such a cemetery and when any such cemetery shall be located and established to maintain and regulate the same and for that purpose to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein as provided in this section

Section 403 Administration and Supply and Supervisory Duties Over Armed Military and Naval Forces The Department of Military Affairs shall be specifically responsible for the administration and supply both Federal and State of the armed military and naval forces of the Commonwealth and further shall have general supervisory functiton of all matters pertaining to the military and naval forces of the Commonwealth and shall make periodic reports as required by law or requested by the Governor the Department of the Army and the Department of the Navy concerning these matters and the condition and state of the readiness of the military and naval forces of the Commonwealth

Article V

The Adjutant General

Section 501 The Adjutant General Head of Department Duties Responsibilities The Adjutant General as head of the Department of Military Affairs is responsible to the Commonwealth and to the Governor for the organization and functioning of said department and the performance and carrying out of all the duties powers and responsibilities given or delegated to the department by law In addition he is hereby authorized and directed to

(1) Maintain an office through which correspondence on military and naval affairs between the Commonwealth and the Federal Government will be conducted including that pertaining to funds and properly issued by the Federal Government for organization of the Pennsylvania National Guard Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia

(2) Maintain all military records until transfer to Pennsylvania Archives or where so directed to proper Federal department

(3) Maintain historical outlines and permanent historical records of organizations of the Pennsylvania National Guard Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia

(4) Maintain armories arsenals military reservations and all property and equipment intended to be taken into the field by troops

(5) Obtain and issue medals in accordance with this code and regulations promulgated thereunder To prepare all citations when required and make arrangements for the proper presentation of decoration medal or award

(6) Convene boards of officers to consider and make recommendations upon such matters as may be referred to them including major changes in policy or new policies regulations locations relocations and redesignation of units and similar questions

(7) Have published annually in book or pamphlet form a list of active and retired members of the Pennsylvania National Guard with name rank organization date of appointment date of retirement and home address

(8) Enforce the approved policies of the Governor

Section 502 Subsistence and Quartermaster Stores The necessary subsistence and quartermaster stores and expenses incident to any active service including the transportation of troops may be contracted for under direction of the Governor as Commander-in-Chief by the Adjutatnt General or any other officer designated for that purpose and paid for in the usual manner except when such active service is under the orders of the Department of the Army or Department of the Navy when subsistence quartermasters' stores and other expenses incident to any active service including transportation will be furnished by the Federal Government

Section 503 Payment of Emergency Expenses When the Pennsylvania National Guard or any portion thereof is ordered on active duty by the Governor as Commander-in-Chief in repelling invasion subduing insurrection riot or disorder or in case of disaster within the State or in the prevention thereof the payment of the troops and all other expenses incident to such services will be made by the Adjutant General from funds obtained by warrant drawn by the Governor of the Commonwealth upon the State Treasurer against an appropriation made for such purpose and if the Pennsylvania National Guard or any portion thereof or the Naval Militia shall be called into the active service of the United States by the President all necessary expenses incident to the mobilization of the Pennsylvania National Guard or any portion thereof under such call excluding per diem pay shall be paid by the Adjutant General from funds obtained in like manner except when such expenses are paid by the Federal Government The necessary transportation subsistence and quartermaster stores and the necessary expenses incident to such active duty within the State or mobilization under the call of the President may be contracted for under direction of the Governor as Commander-in-Chief by the Adjutant General or other officer or officers designated for that purpose and the same shall be paid for by the Adjutant General from funds obtained by warrant drawn by the Governor of the Commonwealth upon the State Treasurer against an appropriation made for such purpose except when such expenses are paid by the Federal Government

Section 504 Caretakers and Administrative Assistants The Adjutant General shall approve all appointments of Federal caretakers and administrative assistants authorized by the laws of the United States to care for Federal property and assist in the administration of the Pennsylvania National Guard respectively The appointment of personnel falling in these two categories will not be made without meeting all the requirements and qualifications imposed by the Government of the United States

Section 505 The responsibility of requisitioning procurement storage and issue of Federal property arms and equipment for use of the Pennsylvania National Guard may be delegated to the regularly appointed United States Property and Disbursing Officer assigned to the Commonwealth of Pennsylvania

Section 506 Increase in Headquarters and Headquarters Detachment Pennsylvania National Guard With the approval of the Governor the Adjutant General may augment the regularly authorized Headquarters and Headquarters Detachment of the Pennsylvania National Guard with qualified personnel in the following categories

Retired Pennsylvania National Guard
Inactive Pennsylvania National Guard
Pennsylvania Guard
Pennsylvania Naval Militia
Retired Officer any Federal armed service

Personnel so appointed shall be assigned by the Governor and shall have all the rights privileges and responsibilities under the Military Code granted military and naval personnel and will take rank according to date of commission Officers warrant officers and enlisted men thus appointed will not be entitled to pay and allowances for drill or instruction periods but will be entitled to regular expenses as authorized when performing official duties away from home stations Provided further that when called into active State service they will be entitled to the pay and allowances of grade and years of service for such service Payment to be made by the Adjutant General in the regular manner

During the absence of the Federally recognized Headquarters and Headquarters Pennsylvania National Guard under call or order in the service of the United States the Adjutant General is authorized to form a State Staff and Detachment of the Pennsylvania Guard to carry out the duties and responsibilities of department in connection with the military and naval forces of the Commonwealth

Section 507 The Adjutant General is authorized to expend not to exceed five thousand dollars ($5000) annually for the housing feeding and entertainment of distinguished military guests who visit the Commonwealth on official military business Payment shall be made by the State Treasurer in the normal manner upon submission of proper voucher by the Adjutant General

Article VI

Pennsylvania State Armory Board

Section 601 Duties General The Pennsylvania State Armory Board subject to any inconsistent provisions of this act contained shall continue to exercise the powers and perform the duties by law vested in the said board It shall provide equip maintain manage and regulate armories within the limits of this Commonwealth for the use of the Pennsylvania National Guard Naval Militia and when organized the Pennsylvania Guard and the Pennsylvania Naval Militia as may now or hereafter be provided by law and may with the approval of the Governor accept gifts of land with or without buildings therein to be used for military purposes The title to all such land shall be taken in the name of the Commonwealth It may also employ funds appropriated to it for the purpose to purchase for armory purposes any suitable buildings erected by any person or persons The board may also with the approval of the Governor sell any buildings or armory sites which are no longer being used for military or naval purposes

Section 602 Erection of Armories The Armory Board as appointed is hereby empowered and directed to erect or provide anywhere within the limits of this Commonwealth upon such terms and conditions as shall be decided upon by said Armory Board as most advantageous to the Commonwealth armories for the use of the Pennsylvania National Guard which armories shall be used for drill meeting and rendezvous purposes by the organization of the Pennsylvania National Guard and when organized the Pennsylvania Guard and Pennsylvania Naval Militia occupying same and in which shall be stored and safely kept all property of the United States or of the Commonwealth issued to such organization for military purposes

Section 603 Armory Management The Armory Board hereby appointed shall also constitute a board for the general management and care of said armories when established and shall have the power to adopt and prescribe rules and regulations for their management and government and formulate such rules for the guidance of the organization occupying them as may be necessary and desirable

Section 604 Definition of Naval Armory The word "Armory" as used for Naval Militia and Pennsylvania Naval Militia shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purpose of instruction drill or defense

Section 605 Purchase of Ground The Armory Board shall have full authority to purchase ground in the various localities throughout the Commonwealth where it shall be deemed necessary to provide armories said ground in each instance to be purchased in the name and for the use of the Commonwealth of Pennsylvania and upon the ground so purchased the Armory Board is authorized and directed to erect for the use of such company battery troop battalion or regimental organization an armory to be used for meeting rendezvous and drill purposes and in which shall be stored the ordinance-stores quartermaster-stores and other property issued to the organization occupying said armory When such armory or armories are erected or provided the said Armory Board shall have charge thereof and arrange for its occupancy and use under the direction and responsibility of the senior officer in command of such company battery troop battalion or regimental organization

Section 606 Donation by Other Political Divisions It shall be lawful for any county city borough town or township to acquire by purchase or by gift or by the right of eminent domain any land for the use of the Pennsylvania National Guard and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by law for the Condemnation of lands for public purposes in counties cities boroughs towns and townships

Section 607 Limitation on Eminent Domain The power conferred by this act shall not be exercised to take any church property graveyard cemetery or any dwelling-house or the curtilage of the same in the actual occupancy of the owner

Section 608 Funds From Other Political Divisions Any county city town borough or other municipal division of this Commonwealth is hereby authorized and empowered either independently or in connection with any other county city town borough or municipal division of this Commonwealth to provide and appropriate moneys or convey land to the Commonwealth of Pennsylvania to assist the Armory Board of the State of Pennsylvania in the erection wherever deemed most advantageous by the said Armory Board of the State of Pennsylvania of armories for the use of the Pennsylvania National Guard and to furnish water light or fuel either or all free of cost to the Commonwealth of Pennsylvania for use in any armory of the National Guard and to do all things necessary to accomplish the purpose of this act

Section 609 Armory Board Power To Receive Funds Such Armory Board shall have power to receive from counties cities and boroughs townships or other municipalities or other sources donations of land or contributions of money to aid in providing or erecting armories throughout the Commonwealth for the use of the Pennsylvania National Guard and which shall be held as other property for the use of the Commonwealth of Pennsylvania and such counties cities boroughs townships or other

municipalities are hereby authorized to make such donations or contributions for the purpose of this act

Section 610 Acquiring Real Estate For Public Use That the Pennsylvania State Armory Board be and is hereby empowered whenever it shall be by them deemed necessary to perfect the title of real estate acquired by them for the purpose of the erection of an armory or when the site acquired is insufficient in size to construct said armory and when said real estate so acquired shall join and abut a piece of real estate which has been dedicated to public use as a public highway but has never been opened as or used for the purpose for which it was dedicated to take said real estate or such portion thereof as may be necessary for public use Provided That the consent of the municipal authorities in the city town or borough township or other municipality in which said real estate is situated be first secured

Section 611 Court Action Before the taking of said land as aforesaid the said Armory Board shall present its petition to the court of common pleas in and for the county in which said real estate is situated setting forth the facts and reciting the consent obtained from the municipal authorities where said land is located whereupon the said court of common pleas shall appoint three discreet and disinterested freeholders of said county as viewers and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at and upon the real estate aforesaid for the purpose of determining the fair value of all the singular the estates or interests in the land so proposed to be taken for the use of the Commonwealth of Pennsylvania as aforesaid and shall designate the several owners thereof as far as the same can by them be reasonably ascertained and shall report the same to said court and their award shall be suject to appeal and confirmation The report of said viewers or any two of them being filed in said court either party within thirty days thereafter may file his her or its or their appeal from said report to said court and the same shall then be tried by the said court and a jury and after final judgment either party may have a writ of error

Section 612 Payment for Land Acquired On Court Action Upon the confirmation of the report or judgment upon a verdict in case of appeal and the payment of the sum of money so awarded to the parties entitled thereto or where the several owners of easement interest therein cannot be readily ascertained are unknown or live without the jurisdiction of said court then by the payment of said sum of money or award into the court of common pleas for the use of such person or persons as may be entitled thereto the title to the lands and estates or other interests therein thus paid for shall become vested in fee in the Commonwealth of Pennsylvania and an exemplification of the record of said court in the premises shall be the proper and sufficient evidence Provided however That the consent of the municipal authorities as aforesaid shall be a waiver of all rights of the same to damages or compensation for said taking And providing That where the lands proposed to be taken as aforesaid are situated in any town or city having more than ten thousand inhabitants the viewers contemplated by this act shall be residents of such town or city

Section 613 Viewers Service of notice of the meeting of viewers aforesaid upon any person not known or not residing within the jurisdiction of said court shall be had by publication in a newspaper of general circulation published in the city town or borough township or other municipality in which said real estate is situated once a week for two consecutive weeks and a proof of such publication shall be a proof of service of the notice upon all parties owning an interest in said real estate who are not otherwise served personally

Section 614 Donated Land Not Usable Whenever any person shall have conveyed to the Commonwealth any land as a site for the erection thereon of an armory and the Armory Board shall decide that such land so conveyed is not available and cannot be used for the purpose for which it was intended when so conveyed the said Armory Board may by resolution authorize the Adjutant General of the Commonwealth to execute a deed for the transfer of the said land for nominal consideration to the person who conveyed the same to the Commonwealth or in case of his death to the personal representative of the estate of such grantor which deed when approved by the Attorney General shall vest a fee simple title to such land in such grantor or in his estate in case of his death

Section 615 Sale of Useless Armories Deeds Whenever in the opinion of the Governor Auditor General and Adjutant General any armory owned by the Commonwealth is no longer available for military services due to change in population or to the needs of the military service they may sell such armory at either public or private sale for the best price obtainable and shall give deed thereto in the name of the Commonwealth of Pennsylvania Such deed shall be prepared and approved by the Attorney General and shall divest all the title and interest of the Commonwealth

Section 616 Proceeds Not to Be Returned to Contributors Exceptions Use of Money Appropriation No part of the money derived from such sale shall be returned to any municipality or private person or organization who or which contributed towards the establishment of such armory Provided That should a new armory built from proceeds of such sale be erected in a municipality other than the armory sold was located the amount contributed by the municipality towards the erection of the armory so sold shall be returned to the municipality The whole or balance of such money shall be paid into the State Treasury and shall be used only for the purchase of a site or the erection of an armory or both at the nearest practicable point to the site of the armory sold Such purchases shall be made and such work done by the Armory Board under the provisions of existing law For such purposes all of such moneys are hereby specifically appropriated to the Armory Board

Section 617 Armory Rent The annual rental of all armories and buildings not owned by the Commonwealth and occupied by any organization shall be paid by the State Treasurer upon requisition by the Department of Property and Supplies in the manner provided by law All payments for light heat water and janitor services in rented armories and buildings shall be made by the Department of Military Affairs upon properly itemized vouchers except where such services are furnished by the landlord under the rental contract

Section 618 Property of a Permanent Nature Located on Armories When units or organizations of the Pennsylvania National Guard are called or ordered into the service of the United States all furniture permanent property and equipment located in their respective armories purchased from State county municipal or township funds or when donated to the unit organization from private sources will be left in the armory and will be taken into custody by the local Armory Board in the name of the State Armory Board and may be used by organizations and units of other military and naval forces of the Commonwealth officially assigned to said armory until such time as the Pennsylvania National Guard unit or organization returns If upon the reorganization of the Pennsylvania National Guard following a war emergency the organization is not reorganized or is assigned to another location within the State then the property in question becomes the property of the State to assign reassign and dispose of as the Pennsylvania State Armory Board may decide or direct

Article VII

State Military Reservation Commission

Section 701 Duties The State Military Reservation Commission shall have the power and its duty shall be to consider any matters upon which the Department of

Military Affairs may ask its advice and to investigate and study the conditions of any State military reservation and make recommendations to the department for the maintenance and improvement thereof

Section 702 Composition The State Military Reservation Commission shall consist of the Governor the Adjutant General the Commanding General of the Pennsylvania National Guard Division the Commanding General of the Pennsylvania National Guard non-divisional troops members of the Governor's Military Advisory Commission and two other civilian members appointed by the Governor The commission shall elect from among its members a chairman and a secretary

Article VIII

Pennsylvania National Guard

Section 801 Peacetime Armed Land Force The organized armed land forces of the Commonwealth of Pennsylvania during time of peace shall be and constitute the National Guard thereof styled the Pennsylvania National Guard and shall be subject at all times to the orders of the officers thereof Nothing in this article shall be construed to prevent the Governor as Commander-in-Chief at his discretion to form cadres of authorized war time organizations for the purpose of pre-planning

Section 802 Definition The word "company" shall apply to and indicate the infantry cavalry artillery armored force engineer signal medical ordnance air force special services and general staff units corresponding in general organization to a company of infantry The words "regiment" and "battalion" shall apply to any organization of any arm or service equal in organization to a regiment or battalion of infantry as the case may be or so denominated by law

Section 803 Composition of the National Guard The National Guard of this Commonwealth shall consist of such troops as may under the act of Congress be prescribed by the President of the United States as the portion of the National Guard of the United States apportioned and assigned to the Commonwealth of Pennsylvania The troops of the Pennsylvania National Guard shall be organized according to the tables of organization of the Army of the United States

Section 804 Increase in Organizations Should at any time the total number of enlisted men allotted as the strength of the Pennsylvania National Guard under and pursuant to the provisions of the National Defense Act and all acts of Congress amendatory thereof and supplementary thereto exceed the number required to complete the organizations hereinbefore provided for at their proper numerical strength then and in such case the Governor as Commander-in-Chief shall have the power and is hereby authorized and directed to prescribe in orders for the organization of any and all such additional units as may be required to conform as far as practicable to the requirements for the Pennsylvania National Guard under the laws of the United States and to form the same into battalions regiments brigades and divisions as the total numerical strength may require

Section 805 Composition of Units The composition of all units of the Pennsylvania National Guard including the commissioned and enlisted personnel thereof other than those specifically provided for in this act shall be fixed from time to time by the Governor as Commander-in-Chief and announced in general orders tnd shall as far as practicable be in accordance and in compliance with such regulations as may be promulgated by the Secretary of the Army for the composition of the National Guard Every such order shall have the same force and effect as if specifically enacted and provided for by statute

Section 806 Powers of a Division Commander A general officer of the Pennsylvania National Guard commanding a division or non-divisional organizations and units equivalent to a division shall have all the power and authority of a major general under the rules and regulations prescribed or hereafter to be prescribed for the government of the armies of the United States subject to the orders and direction of the Governor as Commander-in-Chief A division commander or commanding general non-divisional unit shall be responsible for the training discipline administration and efficiency of the divisions or non-division troops under his command and of any troops attached thereto He shall be responsible for making recommendations to the Adjutant General appointment and promotion of officers and shall cause such inspections investigations and reports to be made for the troops under his command as may be required by higher authority He shall appoint such boards and courts-martial as may be required and authorized He may with the consent of the Adjutant General order to active duty such officers and employ such clerical and other force as may be required as his headquarters The officers clerical and other forces on duty at a division headquarters shall be paid by the Adjutant General at rates of compensation as may be deemed by the Commander-in-Chief just and proper This section also applies to general officers of the Pennsylvania Guard when organized

Section 807 Necessary Expenses of Headquarters (a) The necessary military expenses of division brigade regimental and separate battalion or similar headquarters including clerk hire and other actual outlays but not including compensation for officers on permanent active duty shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed

Ten thousand dollars ($10,000) for a State Staff

Ten thousand dollars ($10,000) for a Division Headquarters

Five thousand dollars($5000) for an Anti-Aircraft Artillery Brigade

Five thousand dollars ($5000) for an Air Wing National Guard

Three thousand dollars ($3000) for a Regimental Headquarters to include travel and other expenses of battalions and separate units attached to Regiments

One thousand dollars ($1000) for a Headquarters Field Artillery Brigade

One thousand dollars ($1000) for a Headquarters of each separate battalion

Two thousand dollars ($2000) for Headquarters Corp Field Artillery

One thousand dollars ($1000) for Headquatrers Cavalry Reconnaissance Squadron

Five hundred dollars ($500) for each Headquarters AA Searchlight Battalion

Seven hundred fifty dollars ($750) for each Headquarters Anti-Aircraft Artillery Group Artillery Group or any other Group Headquarters

Two hundred fifty dollars ($250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars ($250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars ($250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars ($250) for Headquarters Light Bombardment Group

Two hundred fifty dollars ($250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars ($250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars ($250) for Headquarters Fighter Group

(b) The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final This section also applies to Pennsylvania Guard and Naval Militia and Pennsylvania Naval Militia when organized

Section 808 Annual Appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard requirements in strength discipline and efficiency shall receive an annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For all troops at the rate of ten dollars ($10) per man per year Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars ($1000) per year regardless of the actual strength of the organization And provided That no company troop battery detachment or similar organization shall receive less than a minimum of two hundred dollars ($200) per year Such allowances shall be computed by the Adjutant General from the actual strength of the unit as of June first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commander but it shall be the duty of the Adjutant General before paying any of the said allowance to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of the same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however That any regiment battalion squadron or company may at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniform or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The Adjutant General shall publish and distribute to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final This section also applies to Pennsylvania Guard Naval Militia and Pennsylvania Naval Militia when organized

Section 809 Methods of Settling Accounts Every account before making payment shall be approved by the officer ordering the purchase or directing the rendering of service showing that the same is correct as to price that the articles were furnished or services rendered on his order and supplied as charged

Section 810 Disbandment of Companies If it appears to the Governor as Commander-in-Chief that a company of the Pennsylvania National Guard has failed to comply with the requirements of the law in matters of uniform equipment discipline or efficiency so that it cannot discharge the duties required of it such company may be disbanded by the Governor who as Commander-in-Chief may disband any company if in his judgment the interests of the service justify it subject to the restrictions of the National Defense Act or amendments thereto

Section 811 Retention of Ancient Privileges Any corps of artillery cavalry or infantry existing in this State on the passage of the act of Congress of May eighth seventeen hundred and ninety-two which by the laws customs or usages of this State has been in continuous existence since the passage of said act shall be allowed to retain its ancient privileges subject nevertheless to all duties required by law of the militia Provided That said organizations may be a part of the Pennsylvania National Guard and entitled to all the privileges thereof and shall conform in all respects except as to cornets to the organization discipline and training of the National Guard in time of war Provided further That for the purpose of training and when an active duty in the service of the United States they may be assigned to higher units as the Governor may direct and shall be subject to the orders of officers under whom they shall be serving

Section 812 Appointment of Commissioned Officers All commissioned officers shall be appointed by the Governor and be commissioned according to the grade in the arm service department or corps in which they are appointed They shall meet all the requirements and qualifications now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard No officer shall be commissioned until he shall have successfully passed such tests as to his physical moral and professional fitness as shall be prescribed in relation thereto

Section 813 Appointment of Warrant Officers All warrant officers shall be appointed and assigned by the Governor the warrant will bear the grade and warrant officer classification Warrant officers shall meet all the requirements and qualifications now or hereafter prescribed by the laws of the United States and the rules and regulations promulgated thereunder for the organization and regulation of the National Guard

Section 814 Oath Commissioned and Warrant Officers All commissioned officers and warrant officers shall take the following oath

".....do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic That I will bear true faith and allegiance to the same that I will obey the orders of the President of the United States and of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of ..... in the National Guard of the United States and of the State of Pennsylvania upon which I am about to enter so help me God"

Section 815 General Officers of the Line Officers commissioned to and holding in the Pennsylvania National Guard or the Pennsylvania Guard the grade of general officers shall hereafter be known as general officers of the line Provided That the Governor may appoint in addition thereto an Adjutant General The number of general officers of the line shall conform with the number of such officers allocated to the Commonwealth of Pennsylvania as authorized by the Tables of Organization covering the National Guard promulgated from time to time in conformity with the provisions of the National Defense Act Provided further That the Governor may appoint a commanding general of the Pennsylvania National Guard with a rank to be determined by him regardless of Federal allotment or recognition General officers shall be appointed by the Governor with the consent of the Senate but no person shall be appointed a general officer who shall not have served at least ten years as a commissioned officer either in the Pennsylvania National Guard the Pennsylvania Guard the Regular Army of the United States the Officers' Reserve Corps of the United States Army or the Army of the United States Provided That the ten years service as herein required may be accumulated by commissioned service in any of the aforementioned organizations

Section 916 (a) When a general officer commanding a division or the commanding officer of non-divisional troops equivalent in size to an Infantry Division is permanently employed by the Commonwealth in his

command capacity he shall receive the pay and allowances of his grade and length of service provided for in current Pay Act and Tables of the Regular Army

(b) When a general officer commanding a division or the commanding officer of non-divisional troops equivalent in size to an Infantry Division is not permanently employed by the Commonwealth he shall be entitled to an allowance of thirty-five dollars ($35) per day for each day devoted to administrative command inspections and such other official military duties that they may be required to perform In no instance shall claim for such allowances exceed one hundred fifty days in one fiscal year provided that this daily allowance for services rendered shall be in addition to expenses incident to travel authorized by this act or other Pennsylvania laws

(c) The Adjutant General is hereby authorized to approve and submit for payment in the normal manner vouchers as submitted Vouchers submitted claiming this allowance shall bear a certificate in substance as follows "I hereby certify I have performed military duties on .....during the month of..... for which I am entitled to allowances provided for by Section 916 of Article VIII of the Military Code of 1949"

Section 817 Promotion of Commissioned and Warrant Officers The Governor has the power to promote officers and warrant officers of the Pennsylvania National Guard in accordance with the laws of the United States and rules and regulations promulgated thereunder

Section 818 Powers of Commissioned Warrant and Non-Commissioned Officers Commissioned officers warrant officers and non-commissioned officers of the Pennsylvania National Guard under their State commissions and warrants shall have all the powers inherent with command and training responsibility as are granted officers warrant officers and non-commissioned officers of like rank and grade in the Army of the United States by law policy and customs of the service

Section 819 Powers of Officers in Active Service The commanding officers of any troop in active service may place in arrest any officer or enlisted man who shall disobey the orders of his superior officer or any person or persons who shall trespass on parade or camp grounds or in any way or manner interrupt or molest the orderly discharge of duty of those in active service and also may prohibit and prevent the sale of spirituous or malt liquors within two miles of such parade grounds or encampment and also in his discretion abate as a nuisance all hucksters canteens auction sales or gambling

Section 820 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred and fifty dollars ($150) for each officer may be prescribed by the Governor and in addition thereto the Governor may prescribe a further allowance not to exceed fifty dollars ($50) in any one year for each officer

Section 821 Term of Office of Commissioned and Warrant Officers The term of every commissioned officer and warrant officer shall be permanent or until terminated by reason of

a Death

b Reaching the maximum age-in-grade limitations provided for in table below An officer will be considered over the maximum age for his grade upon reaching the birthday anniversary of the year prescribed

Assignment	2d Lt	1st Lt	Capt	Maj	Lt Col	Col
State Headquarters	40	43	46	51	55	60
Rated officers in tactical Air units	31	36	41	44	47	49
Non-rated officers (including flight surgeons) in tactical Air units and all officers in non-tactical Air units	35	35	42	47	52	55
All other than PHG officer	35	35	42	47	52	55

When a Brigadier General has reached the age of sixty and a Major General the age of sixty-two

Any officer whose commission is terminated for age in grade and has served for at least fifteen years in the Pennsylvania National Guard Pennsylvania Guard Army of the United States United States Army Navy Air Force or Marine Corp may upon application to the Adjutant General be placed on the retired list If not qualified under this section then he shall be honorably discharged

c Physical disqualification

d Acceptance by proper authority of resignation

e Absence without leave for three months

f Dismissal pursuant to sentence by a general court martial

g Other reason enumerated in this act

Section 822 Elimination and Disposition of Officers and Warrant Officers At any time the moral character capacity and general fitness for the service of any Pennsylvania National Guard officer or warrant officer may be determined by an efficiency board or court of inquiry of three commissioned officers senior in rank if possible to the officer whose fitness for service shall be under investigation appointed by the Governor in case of general officers and headquarters Pennsylvania National Guard officers and the commanding general of a division in all other cases and if the findings of such board be unfavorable to such officer or warrant officer and be approved by the Governor he shall be discharged

Commissions of officers or warrant officers of the Pennsylvania National Guard may be vacated by addition to conditions enumerated in section twenty of this article (a) upon the recommendation of an efficiency board (b) if recourse has been had to the sureties on his bond in the settlement of his financial or property accounts (c) if he has been convicted of an infamous crime (d) upon withdrawal of Federal recognition (e) in the case of inactive officers upon failure to complete the necessary training in any one year as required by Federal law or regulations or failure to respond to communications or (f) for being over age in grade in accordance with regulations issued and promulgated by the Secretary of the Army under the direction of the President of the United States

Section 823 Vacation of Commissions When a commissioned or warrant officer of the Pennsylvania National Guard accepts an appointment to another office therein is transferred to the Inactive National Guard resigns or dies the office or assignment previously held shall be deemed to have been vacated

Section 824 Holding Officers as Supernumerary Pending Settlement A commissioned officer responsible for State funds or State property or property of the United States issued to him by the Adjutant General or United States property and disbursing officer or acquired by transfer inventory or purchase from annual allowance of State funds who may tender his resignation or who may be relieved from command by competent orders of the Governor as Commander-in-Chief and whose accounts are not settled may be relieved from active duty by the Governor as Commander-in-Chief and held as supernumerary pending settlement of his accounts and when so relieved from active duty the office in which he is commissioned or to which he has been assigned shall be considered as vacated Provided That a commissioned officer so held as supernumerary shall be amenable to court-martial for military offenses to the same extent and in like manner as if upon the active list

Section 825 Enlistment Contract Every enlisted man shall meet all the qualifications prescribed by the laws of the United States and the rules and regulations promulgated thereunder Every man enlisting in the Pennsylvania National Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I

.....do hereby acknowledge to have volutarily enlisted this ..... day of ..... 19..... as a soldier in the National Guard of the United States and of the State of Pennsylvania for a period of .....years under the conditions prescribed by law unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the Governor of the State of Pennsylvania and the officers appointed over me according to law and the rules and Articles of War"

Section 826 Discharge of Enlisted Men An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been called into the Federal service by the President of the United States in accordance with the provisions of the National Defense Act such officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their call into the Federal service would have expired if uninterrupted

Section 827 Change of Rank and Grade Surplus Personnel When the Governor shall use his power under section three hundred six of Article III of this act the number of officers non-commissioned officers and enlisted men of any grade in any organization department corps arm service or staff may be increased or diminished and the grade of such officers warrant officers noncommissioned officers and enlisted men may be altered to the extent necessary to secure as far as practicable such uniformity Officers rendered surplus by either the disbandment consolidation or reorganization of their respective organizations may be placed in the Inactive National Guard or such officers may be held as supernumerary officers during the unexpired portion of their respective commissions at the sole discretion of the Governor as Commander-in-Chief and the period of time for which such officers are held as supernumerary may be included in computing the necessary length of service to entitle a commissioned officer to be placed upon the State retired list Enlisted men rendered surplus shall be honorably discharged in accordance with the law

Section 828 Termination of Call into the Service of the United States When any or all parts of the Pennsylvania National Guard are called as such into the service of the United States their units and members retain their State status as Federally recognized units and members of the Pennsylvania National Guard in a state of temporary suspension Under a Presidential call officers of the Pennsylvania National Guard shall continue to be appointed by the State and neither officers nor enlisted men may be held to service beyond the terms of their existing commissions or enlistments while in the service of the United States When the call into the service of the United States has been terminated and organizations units and personnel are returned to their status as the Pennsylvania National Guard personnel shall continue to serve in the Pennsylvania National Guard until the date which their commission or enlistment entered into prior to the call or during the call would have expired if uninterrupted

Section 829 In the Service of the United States Under Order (a) When any or all of the units and members of the Pennsylvania National Guard are ordered into the active military service of the United States they stand relieved from duty in the Pennsylvania National Guard during the period of such active military service and may be retained in the active military service of the United States for the period of the war or emergency and until six months after the termination of the war or emergency unless sooner relieved irrespective of the term of their existing commissions or enlistments Their prior status as units and members of the Pennsylvania National Guard continues to exist as an underlying and temporarily suspended status of origin to which they may and do return upon relief from the active military service of the United States When the duration of their military service of the United States is of such a duration and units and members so intermingled with other organizations and units of the Army of the United States that makes it impracticable for the units and members to return to that prior status as units and members of the Pennsylvania National Guard and it therefore becomes necessary to completely reorganize the Pennsylvania National Guard former members who accept a commission or enlist in the reorganized Pennsylvania National Guard under the time limitations and conditions covered in subsections (b) and (c) below applicable to World Wars I and II respectively and any acts covering future emergencies shall have their service for the purpose of longevity State retirement medals and awards count as continuous and uninterrupted

(b) The provisions of this section shall apply to any officers warrant officers or enlisted men who being mustered into the service of the United States prior to or during World War I if after being mustered out of the service of the United States subsequent to November eleventh one thousand nine hundred and eighteen he was either commissioned or enlisted in the Pennsylvania National Guard as the organization and units thereof were reorganized up to and including the date of Federal recognition of the division on the twenty-second day of December one thousand nine hundred and twenty-one

(c) The provisions of this section shall apply to any officer warrant officer or enlisted man who being mustered into the service of the United States prior to or during World War II and who served honorably at least one year in the service of the United States between December seventh one thousand nine hundred forty-one and September second one thousand nine hundred forty-five if after being mustered out of the service of the United States was either commissioned or enlisted in the Pennsylvania National Guard as the organizations and units thereof were reorganized and prior to said organization or units Federal recognition date if such recognition date was prior to and including December thirty-first one thousand nine hundred forty-eight

Section 830 Transfer to Pennsylvania Guard When the Pennsylvania National Guard or any part thereof is ordered or called into the service of the United States officers warrant officers and enlisted men of the Pennsylvania National Guard not accepted for Federal service because of physical defects age or other cause shall be immediately transferred to the rolls of the Pennsylvania Guard and assigned to units or organizations of the Pennsylvania Guard by the Department of Military Affairs The officer warrant officer and enlisted men so transferred shall serve in the Pennsylvania Guard for the duration of the emergency plus six months unless sooner discharged under the terms of their State commission or enlistment contract

Section 831 Temporary Detail by Commanding Officers When a company is without commissioned officers from any cause the commanding officer of the regiment of which it is a part or if not part of a regiment then the division commander shall detail an officer to command said organization until an officer has been appointed or assigned thereto

Section 832 Pay of Officers on Special Duty Commismissioned officers may be ordered upon special duty at the discretion of the Governor as Commander-in-Chief

and shall receive the pay and allowances of their respective grades during the time they may continue upon duty under such order

Section 833 Pay of Officers and Enlisted Men Covered by Federal Pay Camps of instruction combined with troops of the Regular Army and of other states practice marches maneuvers and other exercises including the outdoor target practice shall be held at such times and places and for such organizations and for such periods as the Governor as Commander-in-Chief may direct During such tour of duty an inspection shall be made by such officers as may be designated for that purpose by the Governor as Commander-in-Chief For services during such tours of duty commissioned officers warrant officers and enlisted personnel shall be entitled to the same per diem pay and allowances and transportation in kind as National Guard officers and enlisted personnel of like grade and length of service are or may hereafter be entitled to by law while on duty under Federal authority during the annual training period commonly known as the summer encampment or while participating in exercises or performing the duties provided for in section ninety-four of the National Defense Act approved June third one thousand nine hundred and sixteen as amended and any such payments not made from Federal funds shall be payable from State funds by the Adjutant General in the usual manner Provided further That enlisted men shall be entitled to subsistence

Section 834 Pay of Officers and Men on Active Duty and State Service When the Pennsylvania National Guard or Pennsylvania Guard or any part thereof is ordered on active duty for State service by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers warrant officers and enlisted personnel so ordered shall be entitled to the same per diem pay and allowances and transportation in kind provided for in current Pay Act and Tables of the Regular Army The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables or organization for the National Guard published by the Department of the Army Hereafter enlisted men shall receive an increase of five per centum of their base pay for every three years of service in the National Guard or in the United States Army Army of the United States Navy Marine Corps or Pennsylvania Guard or for any two or more of these services combined Provided That such increase shall not exceed thirty per centum of their base pay All payments of per diem pay and service shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by laws rules or regulations of a civil character

Section 835 Transportation and Expenses of Officers on Special Duty Officers in attendance upon court-martial boards of examination efficiency boards and other necessary duty as prescribed by the Adjutant General shall receive transportation in kind as may be provided for in orders and the necessary expenses lawfully incurred in the performance of any such duty shall be paid upon proper vouchers duly approved by the officer under whose orders the duty is performed

Section 836 Retirement of Commissioned Officers Commissioned officers of the Pennsylvania National Guard or Pennsylvania Guard who have served in the Pennsylvania National Guard Pennsylvania National Guard Reserve or Pennsylvania Guard or all three whether as an enlisted man or officer for a period of twenty-five or more years shall upon application made to the Adjutant General be retired and promoted to the next higher grade provided he has served at least a period of one year in his highest grade while on the active list otherwise he shall be placed on the retired list at the highest grade held during his service Provided further That the Adjutant General furnish such officer a commission of new grade upon promotion following retirement A commissioned officer of the Pennsylvania National Guard who has served in the Pennsylvania National Guard Pennsylvania National Guard Reserve or Pennsylvania Guard or all three whether as an enlisted man or officer for a period of twenty years shall upon application made to the Adjutant General be placed on the retired list in the highest grade held during said active service Provided however That in considering the period of service aforesaid the military service of such commissioned officer in the Pennsylvania National Guard engaged in the service of the United States or service in the United States Army Navy or Marine Corps Army of the United States or Coast Guard shall be included and counted double in calculating the period of service for retirement or retirement with increased grade under the provisions of this section The provisions of retirement with increased rank shall be applicable when qualified to officer retired prior to passage of this act Provided further That the provisions of this act shall apply to deceased officers on the retired list upon proper application to the Adjutant General by some duly recognized veteran organization

All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions

Section 837 Enlisted men of the Pennsylvania National Guard or Pennsylvania Guard who have served for a period of thirty years or enlisted men who have reached the age of sixty years and who have served at least ten years in one or both of these organizations upon application to the Adjutant General shall be placed on the retired list Provided That service as members of the Pennsylvania National Guard under call order in the service of the United States or service in any of the military naval air force marine forces or coast guard of the United States may be counted as double in computing the thirty or ten years service as the case may be

Section 838 Administration of Oath General field and staff corps officers adjutants summary courts and judge advocates are hereby authorized and empowered to administer oaths and affirmations in all matters pertaining to and concerning the Pennsylvania National Guard and all commissioned officers as authorized and empowered to administer oaths and affirmations in the enlistment of soldiers for the Pennsylvania National Guard Any person who shall falsely swear or affirm to any oath or affirmation before any such officer shall be deemed guilty of perjury and upon trial and conviction thereof shall be sentenced for such

Section 839 Leaves of Absence for Certain State Employes All officers and employes of the Commonwealth of Pennsylvania members of the Pennsylvania National Guard shall be entitled to leave of absence from their respective duties without loss of pay time or efficiency rating on all days during which they shall as members of the Pennsylvania National Guard be engaged in the active services of the Commonwealth or in field training ordered or authorized under the provisions of this act

Section 840 Exemption of Uniform The uniform arms ammunition accoutrements of every commissioned officer and enlisted man shall be free from all suits distresses executions or sales for debt or payment of taxes

Section 841 Exemption from Arrest No officer or enlisted man shall be arrested on any warrant except for treason or felony while going to remaining at or returning from a place where he is ordered to attend for military duty

Section 842 Exemption from Civil Process No civil process shall issue or be enforced against any officer or enlisted man of the Pennsylvania National Guard in the active service of this Commonwealth or of the United States during so much of the term as he shall be engaged in active service under orders nor until thirty days prior he shall have been relieved therefrom Provided

That the operation of all statutes of limitations and presumptions arising from lapse of time shall be suspended upon all claims against such officer or enlisted man during such term

Section 843 Exemptions from Further Military Service Jury Duty and Posse Comitatus In addition to the exemptions now allowed by law any person who shall have performed duty in the Pennsylvania National Guard for a period of nine years or who served for nine months or a longer period in active service of the United States and was honorably discharged or mustered out shall be exempt from further military service except in case of war invasion or insurrection and from serving as a juror if he so desires Every officer and enlisted man in the Pennsylvania National Guard shall during his service therein be exempt from service upon any posse comitatus Every officer and enlisted man of the Pennsylvania National Guard while in active service shall be exempt from jury duty during the period of such active service and any officer or enlisted man shall during his service in the Pennsylvania National Guard be exempt from serving as a juror if he so desires

Section 844 Relief for Disability Incurred in Active Service If any officer or enlisted man of the Pennsylvania National Guard is wounded or otherwise disabled or dies as a result of wounds or other disability received or contracted while performing duty in active service of the State or in the performance of other military duty under competent order or authority he or his dependents shall receive from the Commonwealth just and reasonable relief the amount of compensation to be determined in accordance with the Workmen's Compensation Law of Pennsylvania

Section 845 Criminal Offenses Any commissioned officer or enlisted man of the Pennsylvania National Guard who shall embezzle misapply or convert to his own use without authority any moneys received by or entrusted to him for disbursement shall be deemed guilty of a misdemeanor and on conviction shall be sentenced as for other like offenses under the Penal Code of this State

Section 846 Purchasing and receiving Uniforms in Pawn If any person shall knowingly and wilfully purchase or receive in pawn or pledge any arm accountrement article of military clothing equipment tent or fly or any quartermaster medical engineer signal property ordnance or ordnance stores the property of the Commonwealth of Pennsylvania of the United States in use by the Commonwealth of Pennsylvania he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to an imprisonment not exceeding one year and a fine not exceeding three hundred dollars ($300)

Section 847 Courts of Inquiry Courts of inquiry to consist of not to exceed three officers may be instituted by the Governor as Commander-in-Chief or the commanding general of the division for the purposes of investigating the conduct of any officer either upon his own request or upon complaint or charge of improper conduct as an officer or for the purpose of settling rank The appointing authority may appoint a recorder in addition to the three members The proceedings of a court of inquiry shall follow as far as practicable the forms and mode of procedure prescribed for courts of inquiry for the Regular Army Any court of inquiry with approval of the convening authority may employe a stenographer to take testimony Courts of inquiry shall without delay report a statement of facts to the officer instituting such court who may in his discretion cause charges to be preferred against the accused

Section 848 System of Courts-Martial Courts-martial shall be of three kinds namely general special and summary They shall be constituted like and have cognizance of the same subjects and possess like powers except as to punishments as similar courts provided for by the laws and regulations governing the Army of the United States and the proceedings of courts-martial of the Pennsylvania National Guard shall follow so far as practicable the forms and modes of procedure prescribed for said similar courts Except for certain offenses hereintofore specified all charges and specifications shall be laid under some one or more of the Articles of War which Articles of War shall be of the same force and effect in any proceeding before any court-martial as if the same had been herein enacted at length

Section 849 General Courts-Martial Convening Poser General court-martial in the Pennsylvania National Guard may be convened by order of the Governor or a division commander and such courts shall have the power to impose fines not exceeding two hundred dollars ($200) or to sentence to imprisonment in the county jail of the county where the offense was committed for a term not exceeding one year or both together with such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 850 Special Courts-Martial Appointment Powers When not in the active service of the United States the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military laws of the United States or off the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars ($100) and such reasonable costs as they may assess Provided That sentence shall not become operative until after the approvel thereof by the appointing power

Section 851 Summary Courts-Martial Appointment Power When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding thirty-five dollars ($35) or sentence to imprisonment in the county jail in the county where the offense was committed for a term not to exceed thirty-five days or both and such reasonable costs as they may assess for any single offense may sentence noncommissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances The proceedings of such summary court shall be informal and the minutes thereof shall be so far as practicable the same as prescribed for summary courts of the Army of the United States Provided That the sentence shall not become operative until after the approval thereof by the appointing power such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable

Section 852 Collection of Fines Execution of Sentence (a) All general and special courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to imprisonment in the county jail of the county where the offense was committed for a term not exceeding one year and after approval of such sentence by the appointing power shall issue a warrant of commitment of such per-

son so sentenced to the aforesaid jail directed to any sheriff or constable he shall forthwith execute said warrant and make proper return to said court

(b) All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have the power to sentence to confinement after the approval of sentence by the appointing power in case of failure to pay the fines and costs authorized to be imposed Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized and imposed In such cases the courts-martial shall issue a warrant of commitment of such delinquent to the proper jail of the county directed to any sheriff or constable who shall forthwith execute said warrant and make proper return of the same to said court

Section 853 Approval of Sentences Imposed by Court-Martial When the Pennsylvania National Guard is not in the active service of the United States sentence of dismissal from the service or dishonorable discharge imposed by court-martial shall not be executed until approved by the Governor

Section 854 Powers of Court Officers Admission to Bail When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the president of a court-martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial

Section 855 Duties of Jailers The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by any sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment

Section 856 Disobedience of Subpoenas Every witness not appearing in obedience to such subpoena when duly served and not having a sufficient or reasonable excuse shall forfeit to the Commonwealth a sum of not less than ten or more than fifty dollars for each default and the president or officer of such court shall from time to time report to the district attorney the names of such delinquent witnesses together with the names and places of residence of the persons serving such subpoena the better to enable him to prosecute for such forfeiture

Section 857 Execution of Attachment Every attachment for a witness shall be executed in the same manner as a warrant and by the sheriff or a constable of the county and the fees for serving the same shall be paid by the person against whom the cause shall have been issued unless he shall show reasonable cause to the satisfaction of such court for his omission to attend in which case the party requiring such attachment shall pay the costs such costs shall be ascertained by the said court which may thereupon issue an execution for the collection thereof against the person liable to pay the same and which shall be collected as other executions are collected by said sheriff or constable

Section 858 Appeals to the Governor An appeal from the approved finding or sentence of a general court-martial may be made to the Governor as Commander-in-Chief within twenty days after the decision appealed from shall have been made known to the accused and shall operate as a stay of execution of sentence until such appeal has been decided

Section 859 Disposition of Fines and Penalties All fines and penalties imposed and collected through the sentence of courts-martial shall be forwarded to the Adjutant General who shall deposit the same in the State Treasury It shall be proper for the Department of Military Affairs to request each session of the Legislature to appropriate such moneys as have been so deposited for expenditure for the welfare of the National Guard

Section 860 Liability of Public Officers for Non-Execution of Process The neglect or refusal of any sheriff constable or jail warden to execute any process or to make proper return of all fines and penalties collected or to receive in custody any prisoner shall be deemed a misdemeanor and shall subject the offender to a prosecution by the proper district attorney and to a penalty upon conviction of each such offense of one hundred dollars ($100) to the use of the Commonwealth

Section 861 Compensation of Court Judge advocates and members of courts-martial and courts of inquiry shall be allowed transportation in kind and per diem pay as per military grade for time actually employed in the duties assigned them Transportation in kind shall be furnished to all prosecutors prisoners witnesses sheriffs and constables to and from the place or places designated for the meetings of said courts The per diem pay for military and civilian witnesses shall be the same as in civil courts of law The fees of sheriffs and constables for serving the processes provided for in this act shall be the same as prescribed by law for similar processes of a civil nature and shall upon proper vouchers being filed be paid by the Adjutant General in the usual manner

Section 862 Provisions Apply to Naval Militia Pennsylvania Guard and Pennsylvania Naval Militia The provisions of this article and sections thereunder in addition to where specifically mentioned are applicable to the Pennsylvania Guard and Pennsylvania Naval Militia where appropriate

Article IX

The Naval Militia and Pennsylvania Naval Militia

Section 901 Naval Militia The organied armed naval forces of the Commonwealth of Pennsylvania during time of peace shall be and constitute the Naval Militia thereof and shall be subject to all times to the orders of the officers thereof

Section 902 Organization The Naval Militia of this Commonwealth shall consist of such organization units and over all strength of personnel as may under the Act of Congress be prescribed by the President of the United States as the portion of the Naval Militia of the United States apportioned and assigned to the Commonwealth of Pennsylvania

Section 903 Naval Section of State Staff When the Naval Militia or Pennsylvania Militia is organized the administration and supply of this force shall be a function of the Department of Military Affairs The Adjutant General is authorized to form a naval section in the existing State Staff and Detachment for the purpose of carrying out his powers under the provisions of this act Rank and strength of personnel of this section shall conform as far as practicable to similar organizations of the United States Navy and over all a strength of force authorized

Section 904 Personnel Requirements All commissioned officers warrant officers non-commissioned officers and enlisted men shall meet the requirements and qualifications prescribed by the laws of the United States and

rules and regulations promulgated under these laws by the Department of the Navy for the governing of the United States Navy The rank given in this act is naval rank as the same now exists in the United States Navy

Section 905 Pay of Officers Enlisted Men Officers and enlisted men of the Naval Militia shall perform such duty or service as may be ordered by the Commander-in-Chief and shall be paid the same compensation as is allowed to officers and enlisted men having the same relative rank or position in the National Guard for performing similar duty or service but they shall not receive any compensation from the State for duty performed by way of instruction or drill or otherwise for which they shall receive compensation from the United States The uniform of the Naval Force and the insignia and designation of grade and rank shall be prescribed by the Commander-in-Chief who may change and modify the same from time to time

Section 906 Discipline and Duty The system of discipline routine of duty and exercise of the Naval Force shall conform generally with the existing laws governing the National Guard of the State of Pennsylvania so far as the same may apply to the Naval Force and where the same does not apply the discipline duty and exercises shall conform generally to the laws customs and usages governing the United States Navy

Section 907 Pennsylvania Naval Militia When the Naval Militia is called or ordered into the service of the United States or in event this force has never been in existence during a period of national emergency the Governor is authorized to enroll a naval force to be known as the Pennsylvania Naval Militia for the duration of the emergency plus six months in order to protect the lakes harbors rivers and waterways of the Commonwealth

Section 908 National Guard Laws Applicable to Naval Militia All articles and sections of this act all other acts and appropriation acts of the Commonwealth of Pennsylvania now or to be enacted affecting the Pennsylvania National Guard are applicable to the Naval Militia

Section 909 Laws Applicable to Pennsylvania Naval Militia All articles and sections of this act all other acts and appropriation acts of the Commonwealth of Pennsylvania now or to be enacted affecting the Naval Militia Pennsylvania National Guard Pennsylvania Guard are applicable to the Pennsylvania Naval Militia when organized

Article X

Pennsylvania Guard

Section 1001 Composition and Strength The Pennsylvania Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 1002 Location of Units The Governor shall designate the location of the several organizations and units and may change the same at his discretion Organizations and units shall be located wherever practicable in armory buildings owned by the Commonwealth

Section 1003 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental rerservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania Guard upon which I am about to enter"

Section 1004 Age and Physical Requirements The Governor will by executive order prescribe the age limitations and physical qualifications which will govern both officers and enlisted men in the Pennsylvania Guard but no person shall be refused enlistment or a commission or in any way be discriminated against in the administration of this act by reason of his race or color

Section 1005 Enlistment Contract and Oath Every man enlisting in the Pennsylvania Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania Guard for the period of the emergency plus six months unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of American and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the order of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and Articles of War"

Section 1006 Pay Transportation Annual Encampment All officers and enlisted men will receive pay for armory drills not to exceed sixty drill pays in any one year The rate of pay shall be in accordance with the corresponding grades and length of service of the regular army pay scale In the event of a calling of all or any part of the Pennsylvania Guard into active State duty the pay and transportation of officers and enlisted men shall be on the same basis as provided for similar grades in the regular army The Governor is further authorized to provide an annual training period for the Pennsylvania Guard not to exceed thirty days in any one year during which period the pay allowances and transportation of officers and enlisted men shall be on the same basis as provided for similar grades in the Regular Army

Section 1007 Annual Allowance The Adjutant General is directed to pay to each headquarters of organizations and to the organizations an annual allowance on the same basis as provided for similar units in the Pennsylvania National Guard

Section 1008 Uniforms Arms and Equipment The Governor is authorized to requisition from the Department of the Army such arms and equipment as may be available for use of the Pennsylvania Guard under the provisions of Public Resolution Number 374 76th Congress of the United States approved October twenty-first one thousand nine hundred forty and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania Guard In the event uniforms and equipment are not available from the Department of the Army for the use of the Pennsylvania Guard the Governor shall cause to be provided such uniforms arms and equipment as may be necessary for the efficient functioning and operation of the guard

Section 1009 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania Guard except as modified or changed by the provisions of this article

Article XI

Medals Badges and Awards

Section 1101 Authorized Decorations Medals and Awards The following decorations medals ribbons badges and awards are authorized to be presented by the Governor in the name of the Commonwealth under conditions and methods enumerated hereafter in this article

1 Pennsylvania Cross for Valor
2 Pennsylvania Distinguished Service Medal
3 Pennsylvania Meritorious Medal
4 Pennsylvania Commendation Ribbon
5 State medal for Federal service during any war
6 Service Ribbon or/and Medal for active State service during an emergency
7 Pennsylvania twenty year service medal
8 General Thomas J Stewart Medal
Marksmanship Medals or Badges

Section 1102 Specifications and Procurement The Department of Military Affairs shall furnish the detailed specifications and design for all the items hereinbefore mentioned in this article except those specifically noted below The department is authorized to procure all decorations medals ribbons badges and awards in accordance with the prescribed methods and as specifically directed below

(1) The Pennsylvania twenty year service ribbon shall be silver suspended from a dark green ribbon

(2) Service medal and ribbon for World War II at cost to veteran

Section 1103 Method of Award The authorized decorations medals ribbons badges and awards will be awarded to the following persons and under the conditions and methods specifically mentioned in this section

(1) The Pennsylvania Cross for Valor shall be awarded by the Governor to members of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia or of the military and naval forces of the United States for acts of bravery courage or valor above the ordinary gallantry of other members of the services The Cross for Valor will ordinarily be awarded on the recommendation of the commanding officer of a regiment or similar unit but such recommendation may be initiated by an officer of lower rank All recommendations for this award will be forwarded to the Governor through the Department of Military Affairs

(2) The Pennsylvania Distinguished Service Medal shall be awarded by the Governor to commissioned officers of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia or of the military and naval forces of the United States in recognition of meritorious service beyond the call of the normal dictates of duty to the Commonwealth of Pennsylvania This award will ordinarily be awarded on the recommendation of the Governor or of a general officer All recommendations for this award except those of the Governor must be forwarded to the Governor through the Department of Military Affairs The recommendation shall specifically show that at the time of the rendition of such service the person recommended was on duty of great responsibility

(3) The Pennsylvania Meritorious Medal shall be awarded by the Governor to civilians and officers of the Pennsylvania military and naval forces in recognition of meritorious service rendered the Commonwealth of Pennsylvania during an emergency peace or war and while holding a position of great responsibility This award will ordinarily be awarded on the recommendation of the Governor or any members of his cabinet or by officers of the State military and naval forces Recommendation for this award should normally be forwarded to the Governor by cabinet members through the Department of Military Affairs

(4) The Pennsylvania Commendation Ribbon shall be awarded by the Department of Military Affairs to members of the Pennsylvania National Guard Naval Militia Pennsylvania Guard Pennsylvania Naval Militia and the military and naval forces of the United States for meritorious and outstanding service to the Commonwealth of Pennsylvania and under conditions which does not warrant the award of the Pennsylvania Distinguished Service Medal This award will ordinarily be awarded on the recommendation of the commanding officer of a regiment or similar unit but such recommendation may be initiated by an officer of lower rank

(5) Laurel Leaf Not more than one Pennsylvania Cross for Valor Pennsylvania Distinguished Service Medal Meritorious Service Medal or Pennsylvania Commendation Ribbon shall be issued to anyone person but for each succeeding deed act or achievement sufficent to justify any of these awards a silver laurel leaf shall be awarded in lieu thereof The laurel leaf is worn on the ribbon of the medal or corresponding ribbon bar

(6) The Adjutant General shall annually appoint a board of three commissioned officers for the purpose of considering recommendations for the Pennsylvania Cross for Valor the Pennsylvania Distinguished Service Medal the Pennsylvania Meritorious Medal the Pennsylvania Commendation Ribbon and the Laurel Leaf

(7) A commissioned officer of the Pennsylvania National Guard or Pennsylvania Guard who has heretofore been awarded the Meritorious Service Medal shall be authorized to receive in lieu thereof the Pennsylvania Distinguished Service Medal

(8) The Pennsylvania Service Medal for service in the armed forces of the United States during any war shall be awarded to any veteran of said war who was a resident of Pennsylvania at the time of entering the service of the United States and who served honorably for at least three months during said war between limiting dates prescribed by Departtment of Military Affairs

(9) Pennsylvania Service Ribbons or medals for active State service within the boundaries of this Commonwealth during any emergency war or peace may be issued to members of the Pennsylvania National Guard Naval Militia Pennsylvania Naval Militia by the Department of Military Affairs when their service records indicate that they were a member of and present an organization or unit that was mobilized during said emergency and actually moved him from home station to actively participate in emergency under orders of the Governor or actively participated in emergency while at home station

(10) A Service Medal for twenty years service not necessarily consecutive in the Pennsylvania National Guard shall be awarded by the Department of Military Affairs to any individual of the Pennsylvania National Guard whose official record shows that he has served the required time under the conditions specified in this section In computing such twenty years of service any service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during any war in which the United States was engaged or during any Federal service shall be included at twice its actual length Service in the Pennsylvania Guard may be concluded in figuring the twenty years of service The individual shall be awarded and entitled to wear on the ribbon bar of the Service Medal one silver star with an additional star for each additional five years of service

(11) The General Thomas J Stewart Medal shall be awarded to members of the armed military and naval forces of the Commonwealth upon recommendation of their unit or organizational commanders for one hundred percent attendance and excellence in drill including summer training camp during any one year subsequent to January first one thousand nine hundred and twenty-six Only one of these medals shall be awarded to any one individual

(12) A Marksmanship Badge to be awarded to civilians or to members of the Pennsylvania National Guard or of the Pennsylvania State Guard or of the military or naval forces of the United States not necessarily in the Pennsylvania National Guard or Pennsylvania Guard who as individual competitors or as members of a team in rifle or pistol matches win first second or third place in any State Interstate National or International Matches

Section 1104 Decoration When Worn The decorations medals ribbons and badges mentioned in this article are authorized as part of the prescribed uniform of the Pennsylvania National Guard and Naval Militia not in the service of the United States and the Pennsylvania Guard and Pennsylvania Militia These decorations medals and ribbons and badges will be worn to the left of all decorations awarded by the United States Government

Article XII

Interpretation Repeals

Section 1201 Interpretation It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part

or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had been included therein It is the intention of the General Assembly that if any court of competent jurisdiction shall hold unconstitutional any provision of this act transferring to a department board commission or any officer the powers and duties heretofore exercised and performed by another department board commission or officer the provisions make this transfer thereby become inoperative and that in such event the powers and duties shall be transferred but shall continue as prior to the passage of this act and shall exercise its powers and perform its duties as heretofore The remaining provisions of this act shall in any such case be given full force and effect

Section 1202 Specific Repeals The following acts and parts of acts their amendments and supplements are hereby specifically repealed

(1) The act approved the thirtieth day of January one thousand eight hundred seventy-one (P. L. 13) entitled "A supplement to an act entitled 'An act providing for the election of district attorneys' allowing district attorneys to hold office in the militia"

(2) The act approved the fifteenth day of May one thousand eight hundred ninety-three (P. L. 49) entitled "An act for the establishment and government of a State Naval Militia"

(3) The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 332) entitled "An act conferring upon municipalities the right of eminent domain for the purpose of appropriating public property for the use of the National Guard of Pennsylvania"

(4) The act approved the ninth day of May one thousand eight hundred ninety-nine (P. L. 266) entitled "An act to provide for the enrollment organization discipline and regulation of the militia of the Commonwealth of Pennsylvania"

(5) Sections two four five seven eight and nine of the act approved the eleventh day of May one thousand nine hundred five (P. L. 442) entitled "An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and for providing managing and caring for armories for the use of the National Guard of Pennsylvania throughout the Commonwealth of Pennsylvania and making an appropriation for the same authorizing the State Armory Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act"

(6) The act approved the fifteenth day of March one thousand nine hundred nine (P. L. 33) entitled "An act relating to armories for the National Guard of Pennsylvania authorizing counties cities towns boroughs and other municipal divisions of the Commonwealth to provide and appropriate moneys or purchase and convey land or convey land owned by any county city town borough or other municipal division of the Commonwealth to assist the Armory Board in the erection of armories and to furnish free of cost to the Commonwealth water light fuel either or all for use in any armory"

(7) The act approved the third day of May one thousand nine hundred nine (P. L. 388) entitled "An act authorizing the Armory Board of the State of Pennsylvania to acquire certain real estate by purchase or condemnation providing for the consent of the municipal authorities prescribing the procedure and manner of service and providing for evidence of title"

(8) The act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 544) entitled "An act authorizing counties cities boroughs towns and townships to acquire lands by purchase gift or condemnation and to convey such lands to the Commonwealth for use of the National Guard"

(9) The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth"

(10) The act approved the thirieth day of April one thousand nine hundred twenty-five (P. L. 417) entitled "An act providing for the transfer by the Adjutant General of land conveyed to the Commonwealth for armory purposes where such land cannot be used for such purpose"

(11) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 694) entitled "An act providing for the sale of certain armories and the use of the money derived therefrom in the acquisition of property and building of other armories"

(12) Clause (a) of section four hundred forty-eight sections one thousand four hundred one one thousand four hundred two one thousand four hundred three one thousand four hundred four one thousand four hundred five one thousand four hundred six one thousand four hundred seven and one thousand four hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"

(13) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard"

(14) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 681) entitled "An act providing for the award of drill and service medals and bars to officers and enlisted men of the Pennsylvania National Guard imposing duties upon the Department of Military Affairs"

(15) The act approved the seventeenth day of May one thousand nine hundred thirty-three (P. L. 804) entitled "An act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who were mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard"

(16) The act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 248) entitled "An act providing for the organization under certain conditions of two colored battalions of infantry and making an appropriation therefor"

(17) The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 100) entitled "An act directing the Department of Military Affairs to select procure furnish and award certain decorations medals and badges"

(18) The act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsyl-

vania or any part thereof shall be in active service of the United States"

Section 1203 General Repeals All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 723, as follows:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person partnership or the officers of any association corporation or other artificial entity with intent to evade payment of the water charges made therefor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building or to by-pass any water meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five hundred dollars ($500) or to imprisonment not exceeding one year or to both at the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 783, on third reading, entitled:

An Act to amend clause (6) of section two of the act approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational reshabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 979, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1134, as follows:

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72) entitled "An act to provided for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills in-

curred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Treasury Department the Department of Forests and Waters the Department of Internal Affairs the Department of Labor and Industry the Department of Property and Supplies the Department of Public Instruction the Department of Welfare and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to such departments as follows

Executive Department

To the Treasury Department

For the payment of the deficiency in the appropriation for the payment of salaries or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of three thousand dollars ($3000)

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park States Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dykes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for the purchase of telephone equipment and the cost of telephone rentals at towers district offices rangers stations and other necessary locations for the erection and repairs of buildings the sum of eighty-five thousand dollars ($85,000)

To the Department of Internal Affairs

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of twenty-five thousand dollars ($25,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of sixty-five thousand dollars ($65,000)

To the Department of Property and Supplies

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of sixty-eight thousand dollars ($68,00) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the payment of the deficiency in the appropriation for the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of thirty thousand dollars ($30,000)

For the payment of the deficiency in the appropriation for the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War as provided by law the sum of fourteen thousand dollars ($14,000)

For the payment of the deficiency in the appropriation for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of two hundred fifty thousand dollars ($250,000)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of forty-seven thousand dollars ($47,000)

For the payment of the deficiency in the appropriation

for the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the Department the sum of twenty thousand nine hundred forty dollars ($20,940) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of the deficiency in the appropriation for the reimbursement to school districts for transportation of school children as required by law the sum of three hundred fifty-nine thousand dollars ($359,000)

For the payment of the deficiency in the appropriation for the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendents of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of twenty-six thousand dollars ($26,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishing and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania ($20,933)

Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania ($17,092)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of five hundred seventeen thousand two hundred eighty one dollars ($517,281) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellesville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of nine hundred twenty-eight thousand three hundred dollars ($928,300)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents or warden and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of one million one hundred seventy-eight thousand five hundred dollars ($1,178,500) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats livestock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Hospital at Pittsburgh the Embreeville State Hospital at Embreeville the Hollidays burg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at

cost not exceeding five dollars ($5) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to seven hundred fifty dollars ($750) per bed provided and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of four million nine hundred eighty-three thousand dollars ($4,983,000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats livestock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and livestock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of nine hundred sixty-five thousand eight hundred dollars ($965,800) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats livestock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Pennsylvania Historical and Museum Commission

For the payment of the deficiency in the appropriation for payment of salaries wages general expenses supplies printing and equipment necessary for the work of such commission for historical research for the payment of the cost of preparation and erection of historical markers and for development and maintenance of historical monuments and site the sum of fourteen thousand dollars ($14,000)

Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of Judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of two thousand dollars ($2000) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Retired Judges

For the payment of the deficiency in the appropriation for the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of four thousand dollars ($4000)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, this bill came out of the Committee on Appropriations several days ago, appropriating huge sums of money for deficiencies covering the following departments, Treasury Department, Department of Forests and Waters, Internal Affairs, Labor and Industry, Public Instruction, etc.

Now, Mr. President, I have the deepest respect and admiration for the men who compose this body of fifty Senators. Looking through the Legislative Directory, I find we have lawyers, attorneys, manufacturers, doctors, labor leaders, laymen, bankers, and so on, men who govern businesses that require attention where they must use good judgment.

Mr. President, every year each department submits to this body their budget requirements, and after they are analyzed, we then pass upon an appropriation, but never in all my years as a Member of this body have I found such great deficiencies. One for $3,000, that is small; one for $25,000; another for $65,000; another for $30,000; and another for $14,000; one for $250,000; another for $47,000; another for $359,000; another for $26,000; another for $20,933; another for $517,281: and so on down the line. Mr. President, oh yes, one for $1,178,500.

I wonder how many of us back home conducting a business would blankly endorse an expense account of our employees without checking where that money is being used, and how it is being used. If we keep on passing upon appropriations in this manner, Mr. President, this Commonwealth must be close to the brink of bankruptcy. There is not a man in this body, with all due respect to all of my colleagues, but I say sincerely, Mr. President, there is not a Senator in this house today who can even tell me the total amount of the deficiencies contained in this bill. There is not a man in this house, I am sure, who can say why the deficiencies and for what purpose. Why have these men come to us after getting their budget requirements fulfilled, and presented to us deficiencies, from one department of almost $2,000,000? Oh, you may say, within the last year or two there has been a raise in wages, authorized by the Governor, and rightfully so, but no department can consume such raises.

Mr. President, we have no knowledge whether the payrolls are being padded, and I am not saying they are, but we have no knowledge whether they are being padded. We have no knowledge of expense accounts, we have no knowledge whatsoever where this money is going to and for what reason, and still the Committee on Appropriations will blankly pass upon such huge sums, making up deficiencies.

Mr. President, I am not condemning the Chairman of the Appropriations Committee. He has been a very, very fine gentleman, and is doing a good job, but it is our job and the job of the Members in that Committee to check that list, and if any department has a deficiency, they should come to us and by request tell us why they have a deficiency, what it amounts to, where the money is being spent, and for what reason. Then I am sure that all of us will be glad to make up that deficiency.

Mr. President, we must practice here as we practice at home, and I am sure that not one of us would dare conduct their private business in the same manner as we

are conducting the business of this state. It is a poor policy, Mr. President, a poor way of doing business, and with all of the talent we have here, outstanding men, I cannot quite conceive that they blindly endorse a blank check of this kind.

Mr. President, I am going to vote for this bill on the premise that it is needed, but like every other man in this body, I am closing my eyes, I do not know what I am voting for.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Haluska.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. Mr. President, I will.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Cambria, Senator Haluska, if he is aware of the processes that must be gone through before a deficiency can be created or applied for?

Mr. HALUSKA. I am not, Mr. President.

Mr. WALKER. Thank you very much, sir.

Mr. President, may I say to the gentleman from Cambria, Senator Haluska, that I am just as much alarmed at deficiencies as he is. I would like to explain to him how these deficiencies are provided.

Mr. President, if a department finds that through circumstances that are beyond its control, they are going to exceed a certain earmarked appropriation for a certain definite purpose, that department makes a report to the Governor of the Commonwealth of Pennsylvania. The deficiency is then discussed with the fiscal officers, and if they approve the problem that is presented to them by the department head, then they permit the expenditure to continue because of the value of the work that is being done, and if that creates a deficiency in that particular fund that was earmarked at the time the appropriation was made, then this bill is to provide for such deficiency. No department head is allowed to create a deficiency on his own volition. It must be approved first by the Governor and the fiscal officers of the Commonwealth. Every year that we have been in the Senate I think we have found that deficiency appropriations from various departments, for various reasons, are necessary, but it is not something that can be done with just a blank check. It must be approved by the Governor, the Auditor General, State Treasurer, the Attorney General, and Secretary of Property and Supplies, and I think now, since the new system we have working, the Chairman of the House Appropriations Committee and the Chairman of the Senate Appropriations Committee, and you know that if a deficiency appropriation passes that pair, I think you will find it is needed.

Mr. HALUSKA. Mr. President, I realize we have in the past and will in the future be compelled to make deficiency appropriations. I am fully aware of that fact, but my complaint is that this body should have a statement from that department. Once we make the original appropriation, any deficiency should come to us or at least be explained in Committee as to how that money is being used and for what purpose.

Mr. President, I trust the Governor, but he is only one human the same as myself. That is why we have the Committee on Appropriations. When we have a deficiency we should know why, how it occurred, and how that money was spent.

Mr. CHAPMAN. Mr. President, in explanation of the increased deficiency appropriations, this was due mainly to the increase of salary ordered by the Salary Board, consisting of the Governor, the State Treasurer, and the Auditor General.

Mr. President, the Appropriations Committee held a meeting, at which Senator Haluska was present, and unanimously agreed to report this bill out of Committee.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1192, as follows:

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty days prior to the beginning of trout season in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the thirty-first day of March one thousand nine hundred forty-three (P. L. 26) is hereby further amended to read as follows

Section 20 Closed Season There shall be no fishing between the fourteenth day of March and five o'clock antemeridian on the fifteenth day of April in any year except in rivers ponds and lakes not stocked with trout and in streams emptying into Lake Erie within the confines of Pennsylvania from the mouth of the stream in a southerly direction to State Highway Route No. 5 a distance of approximately one-half mile For the purpose of this paragraph a person shall be deemed to be fishing if he shall have in his possession any fishing line rod or other device which can be used for fishing while on or in any

water or on the banks of any water where fishing is prohibited Ponds and lakes in which fishing is prohibited shall be posted by the commission The following closed seasons are hereby established for the fish as hereinafter enumerated

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout beginning on the first day of August to five o'clock antemeridian on the fifteenth day of April next following [There shall be no fishing of any sort whatsoever between the hour of five o'clock postmeridian on the fourteenth day of April and the hour of five o'clock antemeridian on the fifteenth day of April in any stream which has been stocked by the board with any of the fish for which this paragraph prescribes a season]

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small mouth and large mouth bass white bass crappie strawberry or calico bass pike-perch otherwise called walled-eyed pike or Susquehanna salmon pickerel muskellunge western and northern pike from the first day of December to the thirtieth day of June next following both dates inclusive Provided however That pickerel and perch may be caught and taken not exceding the daily creel limits fixed by this act during the months of December and January but only when tip-ups are employed while fishing through holes in the ice

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 402, on third reading postponed, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further regulating the power and duties of credit unions their officers and employes.

Mr. T. NEWELL WOOD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 402, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further regulating the power and duties of credit unions their officers and employes.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 3), page 3, line 10, by striking out the word "excess"; Amend Sec. 1 (Sec. 3), page 3, line 18, by striking out the word "and" where it appears the first time in said line; Amend Sec. 1 (Sec. 3), page 3, line 20, by inserting after the word "Loan" the following: "Insurance"; Amend Sec. 1 (Sec. 3), page 3, line 20, by inserting after the word "Corporation" the following: "(d) in shares of Federal Savings and Loan Associations incorporated under the laws of the United States, the withdrawal or repurchase value of which are insured by the Federal Savings and Loan Insurance Corporation, provided, however, no investments shall be made in shares of Federal Savings and Loan Associations unless at the time of such investment the laws of the United States shall authorize Federal Credit Unions to invest in shares of Building and Loan Associations incorporated under the laws of this Commonwealth, the withdrawal or repurchase value of which are insured by the Federal Savings and Loan Insurance Corporation and (e) mortgage loans which are first liens on unencumbered, improved real property, including improved farm lands, situated within this Commonwealth; the improvement being a dwelling for not more than four families which is used or to be used in whole or in part for residential purposes, or upon real property upon which such a building is in the process of construction, which is owned and occupied, or partly occupied as a residence, by the member of the credit union negotiating the mortgage loan and such mortgages shall not exceed seventy-five per centum (75%) of the fair market value of the property, provided, however, that shares of the credit union owned by the mortgagor may be assigned or pledged as additional collateral security for the mortgage loan, and in such event, the mortgage loan granted upon such property may be increased by the withdrawal value of the addi-

tional pledged shares to an amount not to exceed a maximum total mortgage loan of ninety per centum (90%) of the fair market value of such real property, and the association may release this additional collateral whenever the mortgage loan meets all of the requirements of this act, and could be legally made at the time of release without the requirement of additional collateral; shall be amortized by approximately equal payments over a period not in excess of twenty years, shall not exceed twenty thousand dollars ($20,000.00) on any one property, shall not exceed five per centum (5%) of the paid in capital of the credit union on any one property and the aggregate total investments in mortgages shall not exceed twenty-five per centum (25%) of the paid in capital of the credit union; provided, however, a credit union shall not invest any funds in any investments authorized by this clause if at the time of investment it has any liability outstanding for money borrowed pursuant to section fourteen of this act. The provisions of this clause relative to mortgage loans shall not be construed to apply to a purchase money mortgage taken by a cerdit union upon real property owned by it, nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the credit union upon the effective date of this act"; Amend Sec. 1 (Sec. 3), page 4, line 6, by inserting after the word "business" the following: "or partly so occupies and partly leases to others"; Amend Sec. 2 (Sec. 5), page 6, line 5, by inserting a bracket before and after the word "the" where it appears the first time in said line, and inserting immediately thereafter the following: "a"; Amend Sec. 2 (Sec. 5), page 6, line 8, by inserting after the word "insolvent" the following: "the department may issue a suspension order for such period as shall be specified in the order. Such suspension order may direct that all payments on account of shares or loans thereafter received shall be held in cash, that no loans shall be made during the period of suspension, that no withdrawal of shares shall be permitted during the period of suspension, and the department may impose such additional restrictions as may be necessary. The department may impose any or all of the above restrictions by such suspension order and it may extend, modify, limit or qualify an order already issued. At the expiration of the period of suspension the department may authorize the credit union to resume the normal conduct of its business or if the credit union shall not have discontinued the violations of law or discontinued conducting its business in an unsafe or unsound manner or corrected the insolvency which resulted in the issuance of the suspension order or given such assurances thereof as the department may require"; Amend Sec. 2 (Sec. 5), page 7, line 13, by striking out the words "remove from office" and inserting in lieu thereof: "issue an order directing"; Amend Sec. 2 (Sec. 5), page 7, line 14, by inserting after the word "union" the following: "to appear before the department and show cause why he should not be removed from his office or position if the department deems such action necessary for the safety or proper conduct of the credit union. If such director officer or committee member or employe fails to appear or if after such hearing it shall appear to the Secretary of Banking that such director, officer, committee member or employe has failed to show cause why he should not be removed from his office or position the Secretary of Banking may remove such director, officer, committee member or employe from his office or position and declare such office or position vacant"; Amend Sec. 2 (Sec. 5), page 7, line 16, by inserting after the word "union" the following: "Hearings shall be conducted by the department in accordance with the procedure prescribed by the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law"; Amend Sec. 2 (Sec. 8), page 8, lines 5 to 7, by striking out the words "and shall apply" in line 5, all of lines 6 and 7 both inclusive; Amend Sec. 2 (Sec. 8), page 9, lines 6 and 7, by striking out the words "to all officers directors committee members and employes"; Amend Sec. 3 (Sec. 10), page 9, line 18, by striking out the words "Secretary of Banking may suspend" and inserting in lieu thereof: "Board of Directors shall remove from office"; Amend Sec. 3 (Sec. 10), page 9, line 19, by inserting after the word "and" the following: "appoint a new committee to make such examinations and audits or the Board"; Amend Sec. 3 (Sec. 10), page 10, line 2, by inserting after the word "union" the following: "If the Board of Directors, under such circumstances, fails or refuses to act, the Secretary of Banking may remove the members of the Supervisory Committee and cause such examinations and audits to be made by a public accountant at the expense of the credit union"; Amend Sec. 5 (Sec. 14), page 11, line 7, by inserting after the word "members" the following: "or for the purpose of meeting demands for share withdrawals, provided, however, a credit union shall not borrow for the purpose of making investments authorized by section three, Clause VIII of this act"; Amend Sec. 6 (Sec. 15), page 11, line 17, by striking out the words and figures "three hundred dollars ($300.00)" and inserting in lieu thereof: "five hundred dollars ($500.00)"; Amend Sec. 6 (Sec. 15), page 11, line 18, by striking out the words and figures "three hundred dollars ($300.00)" and inserting in lieu thereof: "five hundred dollars ($500.00)"; Amend Sec. 6 (Sec. 15), page 12, line 1, by striking out the words and figures "twenty-four (24)" and inserting in lieu thereof: "thirty-six (36)"; Amend Sec. 6 (Sec. 15), page 12, line 12, by inserting after the word "amounts" the following: "Upon written request from the Board of Directors of a credit union, the Secretary of Banking may modify the foregoing limitations as to the maximum amount of unsecured loans and payment schedules if he is satisfied that such action is warranted by favorable circumstances and lending policies of such credit union in effect prior to the effective date of this act"; Amend Sec. 6 (Sec. 15), page 13, lines 2 to 4, by striking out the words "No member may be elected as an officer director" in line 2, all of lines 3 and 4 both inclusive, and inserting in lieu thereof the following: "and an officer, director or committee member, whose term of office has expired or who has resigned, shall not be reelected or reappointed to any office if, at the time of such election or appointment, he is obligated to the credit union on loans granted within ninety (90) days of such expiration of his term of office or such resignation and such loans do not conform to these limitations on loans to directors, officers and committee members"; Amend Sec. 6 (Sec. 16), page 13, line 7, by inserting a bracket before the word "which"; Amend Sec. 6 (Sec. 16), page 13, line 8, by inserting a bracket

after the part-word "bers"; Amend Sec. 6 (Sec. 16), page 13, lines 16 to 18, by striking out the words "Whenever the reserve fund by reason of bad loans charged off" in line 16, and all of lines 17 and 18 both inclusive; Amend Sec. 6 (Sec. 16), page 14, lines 1 to 3, by striking out all of lines 1 and 2 both inclusive, and the words "per centum (5%) of the total outstanding in loans to members" in line 3; Amend Sec. 6 (Sec. 16), page 14, line 14, by inserting after the word "fund" the following: "At the end of each fiscal year, after transferring the annual credit to the Reserve Fund from the net earnings, the credit union shall determine if the Reserve Fund for Bad Loans is adequate to cover potential losses in loans by classifying the loans to members which are delinquent as follows: Class A—Loans on which the oldest delinquent installment is two (2) months to less than six (6) months past due, Class B—Loans on which the oldest delinquent installment is six (6) months to less than twelve (12) months past due, and Class C—Loans on which the oldest delinquent installment is twelve (12) months or more past due. On Class A loans potential losses shall be estimated at ten per centum (10%) of the unpaid balances, on Class B loans fifty per centum ($50%) of the unpaid balances, and on Class C loans one hundred per centum (100%) of the unpaid balances. If the Reserve Fund for Bad Loans is less than the aggregate total of potential losses estimated in this manner, the credit union shall, prior to the payment of dividends, transfer from current net earnings and/or from the undivided profits or the surplus account to the credit of a "Special Delinquent Reserve Account" an amount sufficient to make the balance in the Reserve for Bad Debts Account plus the balance in such Special Delinquent Reserve Account equal to the aggregate total potential losses. The Special Delinquent Reserve Account shall be adjusted annually at the end of each fiscal year and if the balance in this account is in excess of the amount required, such excess may be transferred to the credit of the Undivided Profits account or the Surplus account"; Amend Sec. 7, page 14, lines 15 and 16, by striking out the words "immediately upon" and inserting in lieu thereof: "ninety (90) days after".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent that Senate Bill No. 402, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 20, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 43, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation procedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act

and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the number of signatures required on nominating petitions of associate judges unlearned in the law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 160, on second reading, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-thre (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without psychosis.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and or Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund or certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 190, on second reading, entitled:

An Act to amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," by making the provisions thereof mandatory under all circumstances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 214, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as heretofore amended and reenacted by providing for creation and abolition of wards for the detachment of territory the election of councilmen for the election of a banking institution as borough treasurer for change in the fiscal year and for budgets tax levies and audits necessitated thereby for the acquisition and lease of lands and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance for the adoption of a plumbing code empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities authorizing the use of general fund moneys for pension purposes regulating contracts and sewer rentals and clarifying and revising certain provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class, boroughs, towns, and townships to carry out certain of their governmental functions in a more effcient manner; prescribing the officers and powers and duties of such districts and the duties of participating municipalities; and conferring jurisdiction on courts of quarter sessions in connection therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 461, entitled:

An Act to add subdivision (f) to section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and in-

ter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life, subject to certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 544, on second reading, entitled:

An Act to further amend the first paragraph of section eight of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further prescribing the number of eligible employes necessary for municipalities to join said retirement system.

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examinataion and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance of agents' licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 670, entitled:

An Act to amend sections six hundred one six hundred four seven hundred one as amended seven hundred two and seven hundred three of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by specifying dates with respect to the preparation and submission of assessment rolls the inspection of such rolls notices to taxpayers appeals from assessments and hearings thereon the certification of assessed valuations and the delivery of assessments to taxing districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 671, entitled:

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672, entitled:

An Act to amend section six as amended and section ten clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing for notices to taxables for discounts and penalties for collection of taxes by suit and for the settlement of tax duplicates abolishing payment of taxes in installments and regulating the collection discounts penalties the settlement of duplicates and return and liening of unpaid taxes on real property for the temporary fiscal period from the first Monday of January one thousand nine hundred fifty and ending June thirtieth one thousand nine hundred fifty.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 672, entitled:

An Act to further amend sections two four five and six of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class provding penalties for violations of the provisions of this act and repealing certain acts" by bringing additional types of buildings under the provisions of the act further revising the classification of buildings covered by this act further regulating ways of egress providing for fire proofing or the closing of vertical openings in buildings regulating the installation of equipment for the display or sale of merchandise prescribing the level on which gymnasiums used for public assembly may be placed prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. FARRELL offered the following amendments:

Page 5, Section 4, Line 6, remove the bracket in front of word "that"; Page 5, Section 4, Line 8, after "ings" strike out the words "two stories or less" and insert in lieu thereof the words "one story" and after the word "height" strike out the word "with an occupancy of" and insert in lieu thereof the words "used by a public utility for equipment purposes and containing not more than 1,000 square feet and wherein"; Page 5, Section 4, Line 9, after the word "persons" insert the words "at a time are employed" and before the word "above" insert a bracket.

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 672, on second reading, go over in its order, as amended.

The PRESIDENT. Is theer objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act to further amend section one and clause (a) of section eight of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by changing the times for the return of delinquent taxes on real estate for tax sales and when interest shall begin to run.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 674, entitled:

An Act to amend sections four hundred one, four hundred forty-one, five hundred seven, five hundred fifteen and five hundred sixteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by cnanging dates for the issuing of precepts to assessors, for returns by assessors where optional assessment are made, for the completion of transcripts of assessments, and for the furnishing of duplicates.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 675, entitled:

An Act to amend sections 1704 1705 1801 sections 1809 and 1811 as amended 2511 2515 2520 sections 2551 and 2557 as amended and 2576 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the fiscal year of cities of the third class providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 676, entitled:

An Act to amend sections three hundred forty-five, three hundred forty-six, three hundred sixty-three, three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth clases; and revising, amending and consolidating the laws relating thereto," by changing fiscal years of counties; providing for a temporary fiscal period to effectuate such change; and regulating budgets, audits and financial reports.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width line locations or grades of State highways in townships and boroughs and incorporated towns.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691, entitled:

An Act to amend section seventeen point three of the act, aproved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending the retirement privileges of certain county officers.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act to amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 1 (Sec. 7), page 5, lines 16, 17 and 18, by striking out the word "but in an appeal relating to a renewal or transfer" in line 16, and all of lines 17 and 18.

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alchoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that application for a liquor license by the holder of a malt beverage license for premises already licensed shall not be deemed application for a new license; further defining the parties who may appeal and the powers of courts in certain appeals from the board; and providing for certain appeals to the Superior Court.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 2 (Sec. 404), page 8, lines 8, 9 and 10, by striking out the words "but in an appeal relating to a renewal or transfer" in line 8, and all of lines 9 and 10.

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 751, entitled:

An Act authorizing officers of counties of the first class and of cities of the first class, in certain cases, to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 752, entitled:

An Act authorizing the recording, copying and recopying of documents, plats, papers, written instruments, records and books on file or of record, and the replacement and certification of originals previously filed and of record, by officers of counties of the first and second classes and of cities of the first and second classes, by photostatic, photographic, microphotographic, microfilm or other mechanical process; relating to the effect and use of such copies, records, reproductions, replacements and transcripts or certified copies thereof; and providing for revision of, and entries to be made on, originals and copies so produced or replaced.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 790, entitled:

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation

of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 792, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 794, entitled:

An Act to further amend section seven of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof", by exempting from ncessity of net quantity being marked thereon packages of bakery products.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 800, entitled:

An Act to amend section four thousand four hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appointments to fill vacancies from certified lists.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 813, entitled:

An Act relating to the issuance of liquor and malt or brewed beverages licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the seciton?

Mr. DONLAN offered the following amendments:

Amend Sec. 2, page 4, line 5, by inserting after the word "members" where it appears the first time in said line, the following: "and"; Amend Sec. 2, page 4, lines 5 and 6, by striking out "and to the guests thereof."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. DONLAN offered the following amendment:

Amend Sec. 4, page 5, lines 18 and 19, by striking out "but otherwise no license shall be refused because of the location of the premises to be licensed" and inserting in lieu thereof: "No licenses shall be issued in excess of one for each two thousand five hundred inhabitants or fraction thereof in any city, borough, incorporated town or township. The board may, in its discretion, grant or refuse a license if the premises proposed to be licensed is within three hundred feet or any church, hospital, charitable institution, school or public playground."

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. DONLAN offered the following amendments:

Amend Sec. 5, page 6, line 15, by striking out "If the applicant" and inserting in lieu thereof: "Any party to the proceeding"; Amend Sec. 5, page 6, line 16, by striking out the word "it"; Amend Sec. 5, page 7, line 1, by striking out "No person shall have the right to appeal except the applicant."

They were agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections were read and agreed to.

The eighteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. DONLAN offered the following amendments:

Amend Sec. 18, page 13, line 1, by inserting after the word "the" the following: "same"; Amend Sec. 18, page 13, line 3, by striking out the word "imposed" and inserting in lieu thereof: "as is prescribed for restaurant liquor licenses."

They were agreed to.

The section was agreed to as amended.

The nineteenth section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 814, on second reading, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 815, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting earnings or other income to supplement public assistance in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by clarifying provisions for payment of compensation of constables and their deputies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1257, entitled:

An Act to repeal certain provisions of, and to add a new article eight to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consoldiating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by eliminating provisions for the acquisitions of privately owned toll bridges jointly with counties, and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission; and authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1258, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the

number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" abolishing the State Bridge Commission and its functions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 114, entitled:

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 135, entitled:

An Act to amend section five and to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by abolishing the Schuylkill River Desilting Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 153 entitled:

An Act to further amend section twelve of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act to amend section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 228, entitled:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 229, entitled:

An Act to amend section five hundred eleven of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 287, entitled:

An Act to further amend section five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," prescribing minimum penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," further defining the powers of weighmasters and the inspectors of weights and measures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 289, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 425, entitled:

An Act to further amend sections two hundred two and two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to include the Unemployment Compensation Board of Review Unemployment Compensation Referees and the Pennsylvania Labor Relations Board in the Department of Labor and Industry and to delete the Industrial Board as an Advisory Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 483, entitled:

An Act to further amend subsections six, seven, twenty, and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, priviliges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on Public Utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to very, reform, or revise certain contracts; conferring upon the commission the execlusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subect to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common please of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fiines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof, persons or corporations furnishing transportation of any injured ill or dead person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 487, entitled:

An Act to repeal subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the special fund for game lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 508, entitled:

An Act to amend section one thousand three hundred fifty-one of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 572, entitled:

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by provding for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manenr in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by re-enacting and amending subsections (e) (f) and (h) of section five hundred eight and by adding section five hundred twenty-eight to the said act authorizing administrative departments boards and commissions with the approval of the Governor to enter into contracts with State Authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 614, entitled:

An Act to further amend subsection seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting employes to withdraw from the public school employes' retairement system in the event that such employes should become eligible for coverage and benefits under the old age and survivors' insurance provisions of the federal Social Security Act by furture action of the Congress of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine of the act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," by extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 619, entitled

An Act to further amend section eleven of the act, approved the seventeenth day of February one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private

and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by making certain corrections and additions to conform to existing law; and eliminating inoperative provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 692, entitled:

An Act creating a Commission on the Birthplace of William Penn, prescribing its powers and duties; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 709, entitled:

An Act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 720, entitled:

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served; and providing for judicial review of orders of the Commission relating to such certificates; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 731, entitled:

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 748, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," by extending the power and duties of the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 749, entitled:

An Act to add a new section to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," increasing retirement allowances through an additional State annuity and making such increases applicable to members heretofore retired.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded firearms and loose ammunition.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend the Act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-seven (P. L. 2063), entitled "Providing for the payment into the State Treasury without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock association, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties", by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 761, entitled:

An Act providing for payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeoing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend the act, approved the seventh day of June 1915 (P. L. 878), entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping; the dividends, profits, debts, and interest on debts of corporations, companies, banks, trust companies, insurance, companies, limited partnerships, and partnership associations, organized under the laws of this Commonwealth, except mutual saving-fund society not having a capital stock represented by shares, and except also building and loan associations, and property held for the benefit of another by the same, and the profits, accretions, and interest on such property, as well as interest thereon accrued or which should have accrued, between the fixing of the amount of such property by the award of any court and the actual distribution thereof," as amended, by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance compaies doing business in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 764, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of election officials in counties of the first and second classes and changing the requirements for delivery of voting machine keys for the preparation of duplicate return sheets in certain cases for the payment of certain campaign expenses for the filing of expense accounts and the delivery of blanks therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

An Act to further amend the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to scure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by further defining and regulation persons engaged in the sale of cigarettes authorizing the department to pay commissions on tax stamps purchased by distributors increasing fees providing for appeals from decisions and orders of the department authorizing the issuance of permits to out of State distributors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries by regulating the take or catch thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Park under the

jurisdiction of the Department of Forests and Waters and devoted to hunting fishing and recreational purposes and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 797, entitled:

An Act to further amend section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors, and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 803, entitled:

An Act to further amend clauses (c) and (d) of section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by permitting the judges of the County Court of Allegheny County to hear and determine criminal issues and matters in the Court of Quarter Sessions of the Peace in Allegheny County when called upon by the presiding judge of said court so to do.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 812, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of a lot of ground and Tiadaghton Elm tree in Clinton County, Pennsylvania, to establish the same as an historic monument.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 819, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retairement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by clarifying the definition of State employe.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 825, entitled:

An Act to further amend subsection (d) of section four of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes: authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, includ-

ing the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board; prescribing certain penalties," by increasing the salaries of the chairman and members of the Pennsylvania Labor Relations Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 827, entitled:

An Act creating a commission to make a study and investigation of the administration of public assistance providing for the membership thereof prescribing its powers and duties empowering it to subpoena witnesses and records prescribing penalties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by changing the method of computing payments in lieu of devices at dams to enable fish to migrate; and increasing the amount of maximum payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 835, entitled:

An Act limiting the forfeiture, confiscation, seizure, condemnation or taking of certain motor vehicles used in violation of law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 841, entitled:

An Act to further amend paragraph (e) of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by exempting certain property held in the joint names of husband and wife.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 850, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 858, entitled:

An Act to amend section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships with the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements of school buses and the meeting or overtaking of school buses while taking on or discharging school children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 986, entitled:

An Act to amend sections three hundred two three hundred three three hundred eleven and one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by estab-

lishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident hunter's license establishing a nonresident trapper's license and fixing the fee for the same increasing agents' compensation and providing for the use of certain amounts from resident license fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 991, entitled:

An Act to further amend the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1005, entitled:

An Act to amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing the boards of school directors to add names to the tax assessment lists and tax duplicates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; expecting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for determining the amount earnable by members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1300, entitled:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, masgistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeiutres, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising, out of the same violations, facts or circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, April 7, 1949, at 12:00 o'clock, M., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:11 o'clock, p. m., Eastern Standard Time, until Thursday, April 7, 1949, at 12:00 o'clock M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 6, 1949.

The House met at 1:00 p. m.
The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

Prayer was offered by the Reverend Homer C. Knox, pastor of the Ridge Avenue Methodist Church, York, Pennsylvania, an uncle of the gentleman from Mifflin, Mr. Price.

Our dear heavenly Father, we pause for a few moments in the hurry-up of the things of life to bow in Thy divine presence. We thank Thee, our God, for that privilege; we pray Thee that Thou hast always been revealing to us; that it is Thy divine will that we come a little bit nearer to Thee and know something of the meaning of abiding in the over-shadow of the Almighty.

For this privilege which has been afforded to us, we are very grateful. We are glad to meet with our fellow men, who are making an honest effort to serve their day and generation.

We pray Thee, dear Father, for each one of us; if there be anyone in any of these homes who are sick, or any Member of the House ill, we would lay our hearts together, and in Jesus Christ's name ask that it be Thy divine will to give them back to their loved ones and make them well. Where any of these men are compelled to be away from their homes or little ones or lads or lassies, Oh God! keep them from harm and danger.

We pray our heavenly Father that these men who have been honored by the people of the community, the sections in which they live, by the investment of confidence. Some days when the going is a little hard and it is a bit difficult to know just what is best, please God help them to remember that Thou art the source of our wisdom, and at times when the cares and interests of life, to which we must give attention, would make a thorofare across our minds and our hearts, God help these men who are in the public eye, to have a little place in their own soul where they and God meet, and where they have communion with their Maker.

Let Thy divine blessing rest upon the Governor and his family. We thank Thee, our dear God, for our great state, for its institutions, for its men and women, with ability and leadership and trueness of heart and as these men carry on the business of the state, oft times misunderstood, not always seeing eye to eye with the public, grant our God, that once in a while they may slip away and have a little talk with Thee, so that when another year will have passed, and their heart will become a little more hoary they will look back upon these days and say I have done my best.

God bless the Speaker. We thank Thee for his life and his ability. Give him a judgment and kindness of heart and insight in all that he has to do, and in Jesus' if we could, we would mention each Member of the House and their loved ones. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 5, 1949.

The Clerk proceeded to read the Journal of Tuesday, April 5, 1949, when, on motion of Mr. NIXON, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WOOD. HOUSE BILL No. 1320.

An Act transferring money from the Manufacturing Fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. BRUNNER. HOUSE BILL No. 1321.

An Act making an appropriation to the General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 494.

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

Referred to the Committee on Education.

SENATE BILL No. 680.

An Act to further amend section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the powers of the Pennsylvania Labor Relations Board.

Referred to the Committee on Labor Relations.

SENATE BILL No. 698.

An Act authorizing the Pennsylvania Liquor Control Board to issue liquor licenses to airport restaurants without regard to population restrictions.

Referred to the Committee on Liquor Control.

SENATE BILL No. 723.

An Act to further amend section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

Referred to the Committee on Judiciary.

SENATE BILL No. 724.

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value or at a price in excess of par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Mrs. MUNLEY. RESOLUTION No. 54.

In the House of Representatives, April 5, 1949.

Whereas, Mine fires have been burning at the West Carbondale-Fallbrook Creek Mine for considerable time, although heretofore the said fires were separated from some thirty or more homes by a stream of water; and

Whereas, The said coal mine fires have now crossed beneath the stream and are rapidly approaching the homes above mentioned; and

Whereas, In addition to the fire hazards arising from these burning mines, there are the clouds of carbon monoxide gases which endanger the lives of the people living in the houses in the vicinity of the burning mines; and

Whereas, The people concerned face possible death by fire and asphyxiation and the loss of their homes, and the survivors will find it almost impossible to find other houses into which to move; and

Whereas, If something is done immediately, loss of life and property damage can be avoided, but delay will in time involve a large part of Carbondale in the hazards as stated; therefore be it

Resolved, That the Department of Mines is hereby directed to undertake at once, the extinguishment of the coal mine fires at both the West Carbondale-Fallbrook Creek Mine and the Watt-Scurry tract at Carbondale; and be it further

Resolved, That the Chief Clerk of this House is hereby directed to transmit a certified copy of this resolution to the Pennsylvania Department of Mines.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. TAYLOR, from the Committee on Law and Order, reported as amended, House Bill No. 912, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined; granting authority to and imposing duties upon the Department of Labor and Industry; requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery, equipment and systems used therein; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders and decisions of said Department; conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violations of the provisions of this Act or the regulations adopted thereunder; and repealing certain acts.

Mr. McMILLEN, from the Committee on Military Affairs, reported as amended, House Bill No. 987, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by granting certain preferences to soldiers in examinations, selection and appointment of eligibles and furloughs.

Mr. GEORGE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 111, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the compulsory permanent revocation of operator's license, on second conviction of operating a motor vehicle, while under the influence of intoxicating liquor or narcotic or habit producing drug.

Mr. TAHL, from the Committee on Judiciary, reported as committed, House Bill No. 569, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by designating all murder committed during the perpetration or attempt to perpetrate sodomy as murder of the first degree.

Mr. PENGLASE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 604, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees.

Mr. JOHNSON, from the Committee on Judiciary, reported as committed, House Bill No. 669, entitled:

An Act authorizing and empowering certain police officers to make arrests on Sunday under certain conditions.

Mr. ELDER, from the Committee on Military Affairs, reported as committed, House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

Mr. HARRY W. PRICE, from the Committee on Professional Licensure, reported as committed, House Bill No. 911, entitled:

An Act to further amend section six of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by providing additional grounds for revocation of registration.

Mr. DALRYMPLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing the salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

Mr. WATERHOUSE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

Mr. McKINNEY, from the Committee on Judiciary, reported as committed, House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgements by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

Mr. ALTSHULER, from the Committee on Judiciary, reported as committed, House Bill No. 1155, entitled:

An Act to amend section one of the act which became a law the seventh day of July, one thousand eight hundred seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," by enlarging the jurisdiction of aldermen, magistrates and justices of the peace.

Mr. DALRYMPLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof.

Mr. WEIDNER, from the Committee on Motor Vehciles, reported as committed, House Bill No. 1306, entitled:

An Act to further amend the first paragraph of section five hundred two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring

powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by fixing the annual registration fee for certain trailers.

Mr. TOMPKINS, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 191, entitled:

An Act to further amend Section three of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for, and payment of such items.

Mr. PROPERT, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing investments in second liens in cases and under conditions herein specified.

Mr. WEIDNER, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 230, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand eight hundred fifty-eight (P. L. 622), entitled "An act regulating the Rate of Interest," by excepting loans made under the National Housing Act.

Mr. REYNOLDS, from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 231, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the right, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by modifying limitations upon officers holding more than one office; permitting additional borrowing; permitting additional investment in property used in the transaction of business; broadening mortgage lending limitations; and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

Mr. SARRAF, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 340, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

Mr. STUART, from the Committee on Professional Licensure, reported as committed, Senate Bill No. 498, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses

Mr. STUART, from the Committee on Professional Licensure, reported as committed, Senate Bill No. 497, entitled:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws

Mr. LOFTUS, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 631, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by providing for the refund of taxes of any kind or character.

Mr. MIKULA, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing for joinder in existing authorities by additional municipalities; and making provision for the amendment of incorporation by an authority.

Mr. ROVANSEK from the Committee on Counties, reported as amended, House Bill No. 869', entitled:

An Act to further amend section three hundred twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by permitting certain county employes of county correctional institutions in counties of the second class to be credited for previous service.

Mr. HEATHERINGTON from the Committee on Law and Order, reported as committed, House Bill No. 1197, entitled:

An Act to repeal the act, approved the third day of April, one thousand eight hundred seventy-two (P. L. 751), entitled "An act to prohibit the use of billiard tables, bowling alleys, dice or card tables, in the township of Wyalusing, in the county of Bradford," in so far as it prohibits the keeping or using of bowling alleys in that portion of the former township which is now the Borough of Wyalusing.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 111, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicle and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the cleraks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the compulsory permanent revocation of operator's license, on second conviction of operating a motor vehicle, while under the influence of intoxicating liquor or narcotic or habit producing drug.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 569, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth", by designating all murder committed during the perpetration or attempt to perpetrate sodomy as murder of the first degree.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 604, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keeprs providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 669, entitled:

An Act authorizing and empowering certain police officers to make arrests on Sunday under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 911, entitled:

An Act to further amend section six of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by providing additional grounds for revocation of registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing the salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1155, entitled:

An Act to amend section one of the act which became a law the seventh day of July, one thousand eight hundred seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of Justices of Peace, and regulating the fees of constables making sales under this act," by enlarging the jurisdiction of aldermen, magistrates and justices of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1306, entitled:

An Act to further amend the first paragraph of section five hundred two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of trac-

tors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by fixing the annual registration fee for certain trailers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section three of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for, and payment of such items.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing investments in second liens in cases and under conditions herein specified.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 230, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" by excepting loans made under the National Housing Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 231, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by modifying limitations upon officers holding more than one office; permitting additional borrowing; permitting additional investment in property used in the transaction of business; broadening mortgage lending limitations; and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 340, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 497, entitled:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by providing for the refund of taxes of any kind or character.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for joinder in existing authorities by additional municipalities and making provisions for the amendment of incorporation by an authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1197, entitled:

An Act to repeal the act, approved the third day of April, one thousand eight hundred seventy-two (P. L. 751), entitled "An act to prohibit the use of billiard tables, bowling alleys, dice or card tables, in the township of Wyalusing, in the county of Bradford," in so far as it prohibits the keeping or using of bowling alleys in that portion of the former township which is now the Borough of Wyalusing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BACK RUN SCHOOL WELCOMED

The SPEAKER. The Chair at this time takes pleasure in welcoming to the Hall of the House twenty-seven pupils of the Back Run School, Rapho Township, Lancaster County, under the supervision of Mrs. Henry Hackman, teacher. They are the guests of the gentleman from Lancaster, Mr. Bomberger.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLACK asked and obtained permission for the Committee on Counties to meet during the session of the House.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTIONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution requesting the Governor to proclaim March 30th, each year, as "Shut-In's Day."

JAMES H. DUFF.

MILLERSVILLE STATE TEACHERS' COLLEGE WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming the class in "American Government" of the Millersville State Teachers College, Lancaster County, under the direction of Mr. Champa. They are the guests of the gentleman from Lancaster, Mr. Murray.

HERSHEY JUNIOR COLLEGE WELCOMED

The SPEAKER. The Chair is also pleased to welcome the sophomoric and junior classes in "Political Science" of Hershey Junior College, Dauphin County, under the supervision of Prof. William Schmehl. They are the guests of the gentlemen from Dauphin, Mr. Hocker and Mr. Herman.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 69.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by providing for compensation in the case of self employers.

HOUSE BILL No. 258.

An Act to amend Article twelve Sections twelve hundred two twelve hundred three and twelve hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the provisions concerning legal procedure in the enforcement thereof.

HOUSE BILL No. 325.

An Act to amend section eight hundred two of the act, approved the fifty day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of joint plans of merger or consolidation of non-profit corporations by the members thereof.

HOUSE BILL No. 445.

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the city of Wilkes-Barre and the borough of Kingston both situate in Luzerne County.

HOUSE BILL No. 532.

An Act to amend sections one thousand two hundred two and one thousand two hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners in certain cases and for the payment of costs in certain enforcement proceedings.

Whereupon, The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

CONGRATULATIONS

Messrs. BRUNNER and ANDREWS asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 6, 1949.

The Pennsylvania Legislative Correspondents' Association, organized and in continuous and uninterrupted existence since 1895, is the oldest association of its kind in the United States.

It has been the custom of the association to hold a biennial dinner during each regular session of the General Assembly. This event is always looked forward to with great anticipation and some trepidation by the members of this body.

The dinner held last evening in the ballroom of the Penn-Harris Hotel, heralded as "Big Red's Round-Up," was particularly entertaining in its lampooning of State officials, and legislative and political leaders. The program was especially timely and provoked well deserved merriment.

The dinner was excellent and the program was thoroughly enjoyed by all present; therefore, be it

Resolved, That the House of Representatives hereby expresses its appreciation of the good solid fun afforded its members by the program of skits presented; and compliments the members of the committee who planned the performance and wrote the scripts, for their very effective labors.

CONGRESSMAN WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming to the Hall of the House today a former Chairman of the Public Utility Commission, and Congressman from the district, wherein the Chair was one of his admiring constituents, the gentleman from Elk, Honorable D. J. Driscoll.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 511, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the care of physically infirm or chronically ill persons receiving public assistance in institutions homes or other places operated by institution districts requiring payment of part of the cost of such care by the public agency from whom such persons were receiving assistance and imposing duties and conferring powers on the Department of Welfare institution districts and certain public agencies in connection therewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1105, entitled:

An Act requiring persons associations partnerships corporation and their agents herein defined as dealers engaging in the business of buying receiving selling exchang-

ing negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables except in cities of the first class to be registered by the sheriff providing for the revocation or suspension of such registration imposing a registration fee imposing certain duties on such dealers and their agents conferring powers and duties on Sheriffs Chiefs of Police of Political sub-divisions Pennsylvania State Police and the Attornel General of Pennsylvania prescribing penalties and punishments for violation of this act and the means and method of its enforcement regulating certain matters of evidence in such procedure providing appeals

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 212, entitled:

An Act to further amend section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain children placed in foster homes, by the court, eligible for assistance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 427, entitled:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

And said bill having been read at length the second time and agreed to
Ordered. To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The first section was read.
On the question,
Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I would suggest that the sponsor of this bill briefly explain the method he is pursuing in formulating the omnibus highway bill, because some of the new Members are unacquainted with the method.

The SPEAKER. Will the gentleman from Potter, Mr. Hall, explain the provisions of the bill?

Mr. HALL. Mr. Speaker, in reply to the request of the gentleman from Cambria, I will be very glad to explain the procedure which we felt we had to follow, not only in this session but in former sessions.

This bill embodies changes that are deemed necessary or important in the various communities, townships, boroughs, cities of the second class, and third class, and also first class cities.

The Members of the House are bound by House Rule 28 and are prevented from introducing individual bills in all cases except in the one respect where a road is a forestry road or a road under the authority of another department.

There is one bill on the calendar that is a part of this program that comprises such a bill, that is where it is proposed to adopt a forestry road under the state system. That requires a separate act. The fact that we are prevented from introducing individual bills means that we have to come to our Reference Bureau and get our requests for adoption of roads. That entails again checking and rechecking of descriptions by the Department of Highways usually because they have the map and information that is necessary. In these bills, we find from experience usually that the Senate requires a minimum of two weeks to get their amendments in. We, being far advanced in this session, felt it advisable to bring these bills out, incomplete as they are. These bills now represent the beginning of the omnibus bills.

Mr. Speaker, let me make this clear, they are incomplete. Amendments involving seventeen counties are in process of completion. They are not as yet in the bill. We anticipate that there will be further amendments offered. There certainly will be further amendments offered in the Senate and to avoid printing costs we would like to advance the bills as far as possible in the House and allow time for the other body to act upon them.

All amendments which are not in the bill, and which are proposed by the Members can and will be acted upon in the Senate. That is the usual procedure. The bills offered now are only the beginning, and again I say that there will probably be further amendments proposed in the Senate. Have I made myself clear?

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and titles were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 581, entitled:

An Act to add clause (m) to section one hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within meaning of term occupational disease in the case of nurses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1070, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class'" by correcting an error in the salary of the coroner

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1153, entitled:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said

street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes as indicated and adding certain new routes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

CHERRY TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House the graduating class of the Cherry Township High School, Sullivan County, accompanied by their Supervising Principal T. O. McCracken and their teachers, Mrs. McCracken and Mr. Zawacki. They are the guests of the gentleman from Sullivan, Mr. Baumunk.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCANLON. Mr. Speaker, when the Committee of Fifteen punched a little peephole through the iron curtain behind which Philadelphia's city government operates the public got a momentary glimpse of tax thefts and other disturbing conditions.

As a result of these disclosures there was a wave of popular indignation. Organization spokesmen were in a hastened mood. Republican City Chairman Meade exhorted his followers about the "flagrant and scandalous conditions" that prevailed. He spoke of "rank, unsavory disregard for public trust." He referred to "open and calculated theft of public funds." He warned them that "we, the Republican party in Philadelphia, collectively and individually, face loss of public trust."

That was back in May. The developments of that period gave impetus to widespread demand for thoroughgoing reform of the City's governmental system. The Legislature was to meet in January. Then, Philadelphias thought, we would advance constitutional City—County consolidation and meanwhile get a new charter that would in the meantime erect safeguards against long-practiced abuses.

Something resembling the legislation then expected is now in process of enactment. But the Organization has cast aside its sackcloth and ashes. It has an eye on preserving the power, and especially the patronage, it has long enjoyed. We are told that county government is to be preserved as a separate entity. We are to have a charter commission appointed by the Mayor and Council. Council is to preserve power over any proposed amendments. What Philadelphia is now promised when it asks for bread looks very much like a stone.

Is is so certain that the storm has blown over? Are the people going to be content with half-measures? Does dissension among our civic agencies as to the best means of achieving self-government for the City justify the apparent belief that gestures will serve as well as strong measures of reform?

MOTION TO RECOMMIT

Mr. SCANLON. Mr. Speaker, I move that Senate Bill No. 5 be recommitted to the Committee on City and County—First Class, for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. CHARLES C. SMITH. Mr. Speaker, I rise to object to the gentleman's motion.

I believe that these bills do just the very thing that he says.

This bill has been on the calendar in the Senate since January 17th. It has been amended to help civic organizations in their objections. This bill does what the gentleman says; it gives the city of Philadelphia self-government and home rule. The gentleman said that during the summer they held two meetings in the city of Philadelphia, where the civic groups and the minority party raised their objections. There was a joint meeting in the House Caucus Room of the Senate Committee and the House Committee on these bills and from all of these objections we have changed the bills to suit them. We cannot suit everybody; we know that, but we feel that this bill is a good bill and we feel that it is a bill that the citizens of Philadelphia want. We feel that this is also a home rule bill and I ask that the motion be voted down.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, I understand the gentleman to say that Senate Bill 5 had been approved by the civic organizations and met the objections that the civic organizations of Philadelphia had in respect to this bill. Will the gentleman tell us which civic organizations are in favor of the bill as presently drawn?

Mr. CHARLES C. SMITH. Mr. Speaker, I said most of the objections had been arranged for in the bill to suit the civic organizations. I did not say all of them.

Mr. ROSE. Mr. Speaker, was there an opportunity afforded to these civic organizations where they could enter their objections?

Mr. CHARLES C. SMITH. Yes, Mr. Speaker, there was. I believe on February 15th there was a joint meeting in the House Caucus Room, and the only two objections that I known of, and they are only with regard to the factual part of the bill is with respect to the city council having the election or appointment of the commission.

Mr. ROSE. Mr. Speaker, actually isn't it true that the form of the bill as amended in the Senate was never before the civic organizations at this public hearing?

Mr. CHARLES C. SMITH. That is true, Mr. Speaker, not the amendments. It was amended to suit the civic

organizations prior to the amendments. The amendments were the result of the public hearing.

Mr. ROSE. Mr. Speaker, I rise in support of the motion to re-commit this bill.

I would like to point out to the Member of this House preliminarily that the original meeting held in February, supposedly to consider the home rule bill, as well as the city—county consolidation bill, was well attended. At that meeting we had representatives from various civic organizations present; we had representatives of all the groups that were interested in good government present at the meeting, but unfortunately the meeting degenerated into a political meeting, whereby there was name calling and cat calling. Actually there was very little opportunity afforded to the representatives of the various civic organizations to present their views with respect to the home rule bill particularly.

I want to point out that the Senate deliberated on these bills from January 17 to last Monday, and then the bill was brought over to the House, and without the ink of the presiding officer of the Senate having properly dried on the bill there was a meeting held of the Committee here and very little opportunity was given to the members of the committee to deliberate and to study this bill before it was reported out. I feel that the Members of the House have been treated as automatons or puppets. Why should the Members of the Senate who have had an opportunity to deliberate on this bill for a couple of months be given such a privilege whereas we in the House have not even been afforded an opportunity to read the bill before it was reported out.

Now, Mr. Speaker I wish to point out to the Members of the House an editorial which appeared in the Evening Bulletin on **March 28, 1949. It is a very** short editorial and I ask your indulgence while I read it. The editorial reads:

Reasonable Request

> That bills in the Legislature affecting Philadelphia's government are of sufficient importance to justify a public hearing was admitted when a hearing was called for February 15.
>
> Complaints are now being heard, however, that really there was no hearing. A few days before the date set, it was announced that compromises had been reached between civic agencies and political and legislative backers of the bills, and that the bills would be redrawn on a number of points.
>
> So those who took the trouble to go to Harrisburg found themselves discussing drafts which were scheduled to be withdrawn, and did not know what would be in the new drafts.
>
> Since then the situation has undergone further shifts. Alleged compromises have not held, and various changes not agreed to have been made.
>
> There is truth to the charge that opportunities to discuss the bills in substantially their present form have not been given.
>
> There was so little that was definite to talk about at the February hearing that it is small wonder the meeting degenerated into name calling. Right now it does not seem an unreasonable request that another hearing be staged, preferably in Philadelphia. Needless to say, its usefulness would depend upon the extent to which it was dedicated to developing legislative and civic illumination rather than political temperature.

Mr. Speaker, the Republican organization of Philadelphia, after first giving an opportunity to illuminate or give a little illumination to the citizenry of Philadelphia, has suddenly decided to call a blackout.

The gentleman from Philadelphia, Mr. Scanlon, said that the so-called new leadership of Philadelphia had decided to go ahead and live up to their obligations of public trust, and I charge that the steps that have been taken in the last few days to rush this legislation through has been an attempt to violate that public trust. Actually the leadership of Philadelphia does not trust the public. If they did, they would offer them an opportunity to appear and present their views on this legislation.

These organizations of Philadelphia are not partisan organizations they are organizations that are dedicated to improving public government, and God knows we need it in Philadelphia. They are comprised of men mostly in executive positions and of the opposite party, the majority party. They themselves have ventured the opinion that they want this opportunity to appear before this Legislature and present their views. When the gentleman from Philadelphia stated that they had an opportunity to do so, he knows very well that such an opportunity was not properly afforded them. We trust the people of Philadelphia; the Democratic party trusts the people of the city of Philadelphia. The Majority party knows that if they desire to be trusted by the people of Philadelphia, they should make recommendations to the Legislature and give them an opportunity to deliberate on the same. We should take time to deliberate this matter properly; we cannot accept the amendments of the Senate without any opportunity of having our membership properly informed.

I myself did not have an opportunity to read this bill, as there were so many changes made in fast fashion that it would have taken an hour to read the bill,—a twenty-five page bill. The gentleman knows that the civic organizations did not have an opportunity to go ahead and peruse the bill in its final form. They have indicated to us that they want an opportunity to appear before us, and I think that we would be derelict in our duty as legislators if we did not go ahead and afford to these groups who desire home rule in Philadelphia an opportunity to appear before us. Consequently, I ask the Membership of this House to support this motion to recommit in order that an opportunity may be afforded of having a public hearing.

Mr. CHARLES C. SMITH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Rose.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. ROSE. I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, did the gentleman from Philadelphia say that the Philadelphia Inquirer has been supporting city—county consolidation and home rule?

Mr. ROSE. I would say they have, Mr. Speaker, and I think that the action taken by the Philadelphia Inquirer and the Philadelphia Bulletin, as well as some of the civic agencies supported these changes to be made in the city-county consolidation bill.

Mr. CHARLES C. SMITH. I wonder if the gentleman has read this morning's editorial in the Philadelphia Inquirer. It is headlined "Give The Philadelphia Merger Bills Final Push To Passage". The editorial goes on to

say—I do not want to bother the House with reading all of this but I would like to read the last paragraph, which is as follows:

> "The two measures that are now in the House need only one more push to send them to passage. The House should give that push promptly."
>
> I think certainly if the Philadelphia Inquirer prints an editorial such as that, that the time has come to press these bills to final action.

Mr. ROSE. Mr. Speaker, in response to the gentleman's inquiry as to whether I read this morning's Philadelphia Inquirer, I might point out to him that I just got a copy of this bill yesterday and I do not believe that many Members of the House have had an opportunity to read it. All last night I studied the bill, and did not have an opportunity to read the editorial.

Mr. GUARNIERI. Mr. Speaker, I rise to support Mr. Scanlon's motion to recommit Senate Bill 5.

I have listened with great interest to the exchange between Mr. Rose and Mr. Smith. Certain conclusions came to my mind. I notice that there has been very much said about civic agencies supporting this or supporting that; this is the bill that this civic organization wants or that that civic organization wants. I also heard Mr. Smith point out that the Philadelphia Inquirer this morning supports the present bill, Senate Bill 5.

I would feel much happier if I heard more talk about what the people want. Just recently,—our memories are not so short,—last November nearly ninety-nine percent of your editorialists, your newspaper columnists and all others who were supposedly speaking as to what the sentiment of the people was at that time, were treated to a great surprise. Thy all awakened the following day with red faces. Now, if we want to know what bills the people want, isn't it a very simple thing to hold a hearing, a public hearing, and ask the people to come to us and let us know what they want? I will not accept any newspaper statement or editorial or any other expert on public opinion, as to the sentiment thereon without going to the people. I think we have a most historic example of how wrong so-called experts can be on what people think and on public sentiment. Therefore, it is crucially important that we have a resubmission of this bill to our Committee of the House and we give an opportunity to the people through their spokesmen to appear before the Committee and speak their sentiment thereon. That hearing may be held either here or in Philadelphia.

Just on Monday twelve nations of the North Atlantic group met and assembled to sign a very historic document known as the North Atlantic Pact. We in the United States are taking this most historic step in our foreign policy, entering into alliances with other countries in time of peace in order to insure that there shall be no iron curtain against the voice of the people. I think it would be wise to reflect upon the significance of that historic move and try in good faith to shape our own actions and our own activities in compliance and in conformity with the need to abolish that iron curtain.

Should we not reflect that there are forty-one representatives from Philadelphia in this House? Of the forty-one, the overwhelming preponderance or the majority thereof, to the number of twenty-six, represent one party, the Democratic party. A minority represents the Republican party, twenty-six Democrats as against fifteen Republicans from the city and county of Philadelphia.

This bill, Mr. Speaker, providing for home rule in Philadelphia is a matter which particularly interests and appertains to all forty-one members from Philadelphia, fifteen from the minority and twenty-six from the majority. Should they not be more conciliating than they have been?

As a member of the Committee which considered this bill, I was astounded, appalled and horified to see that such an important piece of legislation was reported out of Committee without any discussion within a matter of a space of thirty-three seconds. Gentlemen, we are preaching democratic principles and we are preaching democracy. Let us try to conform to our preachments in this day and age. Let not any organization dedicated to the people of such a fundamental character as this, give summary consideration or none consideration in the short space of thirty seconds. So, I say in all fairness to the gentlemen of the other counties of the state to go along with the majority, the overwhelming majority of the representatives from Philadelphia. We of the majority ask you to support this motion and have the measure recommitted for a public hearing, no matter what your political affiliation may be.

Mr. CHARLES C. SMITH. Mr. Speaker, at the risk of prolonging the debate which I certainly do not intend to do and keep the Members in their seats, the gentleman from Philadelphia asks what the people want. He knows full well what the people want, they want home rule. That is what this bill gives them. He said he did not care for the opinions of the newspapers. I have always been of the opinion that the newspapers reacted to public opinion and reflected public opinion. We of the Republican party have promised the people of the city of Philadelphia that we would give them home rule and we are giving it to them in this bill. They want this bill and I ask that this motion be voted down.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Scanlon and Mr. Welsh and were as follows:

YEAS—87

Amarando,	Hamilton,	Monroe,	Rosen,
Andrews,	Harris,	Moran,	Rovansek,
Bane,	Heatherington,	Munley,	Sarraf,
Beaver,	Hoggard,	Musto,	Scanlon,
Boies,	Hunter,	Nagel,	Schmidt,
Brandon,	Jenkins,	Needham,	Seyler,
Breth,	Jim,	Nixon,	Snider,
Bucchin,	Jones, G. E.,	Penglase,	Stank,
Cochran,	Jones, J. M.,	Pentrack,	Sternberg,
Cole,	Kamyk,	Peta,	Swope,
Coleman,	Kirley,	Pettigrew,	Taylor,
Conway,	Kolankiewicz,	Pfaff,	Varallo,
Dougherty,	Kondrath,	Polen,	Verona,
Duffy,	Lederer,	Posta,	Wargo,
Evans,	Leonard,	Powers,	Weiss,
Filo,	Limper,	Price, R. A.,	Welsh,
Floyd,	Lovett,	Readinger,	Westrick,
Gaffney,	McGee,	Reese,	Wheeler,
Glembocki,	McNally,	Reidenbach,	Williams,
Good,	Mihm,	Reynolds,	Yester,
Guarnieri,	Mills,	Rose,	Yetzer,
Hagerty,			

NAYS—110

Altshuler,	Firmstone,	Kemp,	Robbins,
Barkdoll,	Flack,	Kent,	Robertson,
Baumunk,	Fleming,	Kline,	Royer,
Bednarek,	Fox,	Kohl,	Sax,

Blair,	Frank,	Kratz,	Scott,
Bloom,	Frost,	Kurtz,	Shoemaker,
Bomberger,	Gallagher,	Leisey,	Smith, C. C.,
Boorse,	George,	Loftus,	Sollenberger,
Bower,	Gibson,	Madigan,	Spencer,
Breisch,	Goodling,	McCormack,	Stimmel,
Brown, W. E.,	Graybill,	McCullough,	Stuart,
Brunner,	Green,	McMillen,	Tahl,
Cadwalader,	Greenwood,	Mikula,	Tompkins,
Clapper,	Greer,	Miller,	Toomey,
Clendening,	Guthrie,	Milliken,	Varner,
Cooper,	Hall,	Mintess,	Wachhaus,
Costa,	Harney,	Moore, C. E.,	Wagner,
Dalrymple,	Haudenshield,	Moore, H. A.,	Waterhouse,
DeLong,	Helm,	Murray,	Weidner,
Dennison,	Herman,	Najaka,	Wescott,
Depuy,	Hewitt,	Neff,	Wood,
Driscoll,	Hocker,	O'Donnell,	Worley,
Dye,	Hoffman,	Orban,	Yaffe,
Elder,	Jennings,	Price, H. W., Jr.,	Yeakel,
Erb,	Johnson,	Propert,	Young,
Ewing,	Jump,	Reagan,	Ziegler,
Felton,	Keller,	Reilly, J. M.,	Sorg,
Ferster,		Riley, R. L.,	Speaker

NOT VOTING—11

Brice,	Krise,	O'Dare,	Schuster,
Brown, H. S.,	Lee,	Olsen,	Smith, W. B.,
Hersch,	McKinney,	Petrosky,	Thompson,
			Watkins,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendments:

The SPEAKER. The Chair understands that there are no objections on the part of the gentleman from Philadelphia, Mr. Rose, to permit the reading of the amendments to all of the sections so that they may be considered as a whole in order to conserve the time of the House.

There being no objections, all the amendments will be read.

The amendments were read as follows:

Amend Sec. 2, page 2, line 12, by striking out the word "appointment" and inserting in lieu thereof; "election."

Amend Sec. 3, page 3, line 14, by striking out the word "Appointment" and inserting in lieu thereof; "Election".

Amend Sec. 3, page 3, lines 16 to 19, both inclusive, by striking out the words "and the mayor of the city shall appoint a commis" in line 16, and all of lines 17 to 19, both inclusive.

Amend Sec. 3, page 4, lines 1 to 4, both inclusive, by striking all of said lines, and inserting in lieu thereof, the following: "shall issue a writ of election to the board of elections for the election at large of a commission of fifteen registered electors of the city to frame a new charter".

Amend Sec. 5, page 4, line 13, by striking out the word "appointed" and inserting in lieu thereof; "elected".

Amend Sec. 5, page 4, line 14, by striking out the word "appointment" and inserting in lieu thereof; "election".

Amend Sec. 6, page 6, lines 4 to 10, both inclusive, by striking out the words "upon the filing of" in line 4, and all of lines 5 to 9 both inclusive and the words "currence of a majority of its elected members shall so determine" in line 10.

Amend Sec. 6, page 6, lines 12 and 13, by striking out the words "otherwise the petition shall be deemed denied Upon the adoption".

Amend Sec. 7, page 8, line 18, by inserting after the word "petition" the following: "because of irregularities therein".

Amend Sec. 10, page 14, line 4, by striking out the words "primary or".

Amend Sec. 16, page 17, line 14, by striking out the word "appointment" and inserting in lieu therof; "election".

Amend Sec. 16, page 17, line 18, by striking out the word "appointment" and inserting in lieu thereof; "election".

Amend Sec. 16, page 17, line 19, by striking out the word "appointment" and inserting in lieu thereof; "election".

Amend Sec. 16, page 18, line 8, by striking out the word "appointment" and inserting in lieu thereof; "election".

On the question,

Will the House agree to the amendments to section 2?

Mr. ROSE. Mr. Speaker, the gentleman from Philadelphia put forth come crocodile tears a few moments ago about home rule.

He expounded the desire of the majority party of Philadelphia to provide real home rule for the citizens of Philadelphia. The bill as originally passed by the Senate provides first of all, for the appointment of a charter commission. Now, all of those who have been interested in civic reform in Philadelphia, the majority of the groups who have for the past ten or twelve years been asking for an opportunity to get the proper home rule in Philadelphia, have asked that the citizens of Philadelphia be afforded an opportunity to elect a charter commission. The proponents of this measure have unwisely provided for the appointment of a charter commission. The tenor of our amendments is that there shall be an election of the charter commission.

Mr. Speaker, since the Evans charter commission was formed in 1937 at the instance of the University of Pennsylvania, professors who are interested in providing a decent charter for Philadelphia have expounded the need for the election of a charter commission. It seems to me that the majority party in Philadelphia just does not trust the electorate; they are fearful that if individuals are elected to the charter commission they may place in the proposed charter measures that will interfere with the rule that they have exercised for the past sixty years; they might go ahead and promulgate policies to be placed into the charter that might very well lead the way to the elimination of the rule that this party has had over the citizens of Philadelphia for many years.

We consequently ask in this amendment that there be afforded an opportunity to the citizens of Philadelphia to elect a charter commission. It is true that the bill provides for the appointment of a charter commission, some members of whom will be members of the minority party, but we feel that the citizens of Philadelphia should be given this opportunity to elect not only the members of the minority party but the members of the majority party on this commission. We have no objection to a bi-partisan representation on the commission but we certainly are desirous of giving the people who have been clamoring for a new city charter an opportunity to determine who will be the individuals who will help formulate such a charter.

Secondly, we provide in these amendments for a provision in this bill whereby the city council, in the event proposed amendments will be offered in the future, shall

not have an opportunity to screen and cast aside the avowed will of twenty thousand signatures, twenty thousand individuals who sign a petition for a proposed charter.

If the gentleman was interested in giving the citizens of Philadelphia an opportunity to determine whether there should be changes in the charter, he certainly would not advocate a veto power by city council that we are granting them here.

I submit to you, Members of the House, that under the provisions that exist in this bill we do not have home rule, but we have council rule. We have conditions existing in Philadelphia today with which the people of Philadelphia are thoroughly disgusted. Attempts to put a cloak of decency about this has not met with too wide approval of the electorate of Philadelphia, and this organization shows their wide spread distrust of the people of Philadelphia when they go ahead and give this veto to city council. I feel that if the citizens of Philadelphia were given an opportunity they would wisely advocate necessary changes.

It is conceded by the introduction of this bill and by the pressure for the passage of this bill, that we are well behind the times and that there must be a change in the charter. In ten or fifteen years in this atomic age, we must expect such changed conditions that will warrant additional changes in the charter, and the bill provides for the initiation of proposed changes by the signatures of twenty thousand individuals of the city. I say if twenty thousand individuals desire some change why should that not be submitted to the electorate?

I want to point out to the Members of the House that the initiation of any proposed change would still have to be submitted to the electorate for ratification and approval. The entire citizenry would be afforded an opportunity to vote on any proposed changes where initiated by a petition signed by twenty thousand individuals. However, the city council felt that the citizens in their wrath might encroach upon their perogatives and might very well turn down any proposed change that is offered.

Secondly, we are asking by the amendment that I have presented for an opportunity to present any proposed changes and have them submitted to the electorate without this action on the part of city council.

Finally we are affording by this amendment I have offered that any proposed change which may be offered by the electorate in the years to come, be submitted to the citizenry at a general election. The majority party of Philadelphia has shown again that they distrust the people. They know that the majority of the citizens go out and vote in general elections, and even there they would be screened. They simply go ahead and provide that the elections be held on the primary election day or some day fixed by council. We feel that any future changes that will be submitted, should be submitted at a regular general election.

Now, Mr. Speaker, home rule is something that the citizens want in Philadelphia. We here finally have an opportunity to present to them a chance to make any changes in the charter which will be beneficial to all the citizens of our city.

I submit that the bill as presently drawn without the amendments which were offered will take away some element of home rule from it, and if the gentlemen were honestly interested in home rule they would support these amendments, and I ask the Members of this House who desire to give the people of Philadelphia a decent charter to support the amendments.

Mr. ANDREWS. Mr. Speaker, when the devil is sick the devil a saint would be; when the devil is well, the devil a saint is he. Not so many months ago the political leaders from Philadelphia of the dominant party were really in in extremis. They faced a desperate situation. They were not exactly certain whether they were going or coming. They were menaced by an uprising of a militant citizenry, and then the high command went into conference. In many respects I have to admire the adroit leadership of the Philadelphia organization; they can cut a political program with the greatest of skill, with the least evidence of blood of any municipal organization within the confines of this Republic. In Chicago the dominant organization, whether Democratic or Republican, slugs them. In New York the dominant organization slugs its way through. In the great city of Philadelphia they have greater finesse, and never has that finesse been more beautifully exemplified than at the present time as embodied in the present bill. Faced with this militant citizenry, the leaders of the dominant organization in Philadelphia finally evolved a plan: "The militant citizenry of Philadelphia in revolt is in a shooting mood, what shall be do?" That was the problem that faced the leadership in Philadelphia. Finally, some genius, I don't know whether it is the Majority Whip, evolved the bright idea—where it was the Philadelphia Chairman or some obscure member of the organization said: "You know what we will do with this militant uprising citizenry, we will give them a wooden gun" and say, "You just take this wooden gun and go out and do all the shooting you want to." The wooden gun, Mr. Speaker, is the right to propose, and the strangle hold is the right that council maintains to discard. The situation in Philadelphia is not altered one iota by the bill, if passed. It is a beautiful piece of deception and a wonderful bit of political strategy. You know, Mr. Speaker, the captain of a ship when a storm comes, does not fly in the face of the storm. He runs it out until the force of the tempest is spent. In some way the liberal element in Philadelphia exploded its bomb too soon.

We would face a different situation in this House if developments that happened a year ago or a couple of years ago happened just two months ago, and we would face a different attitude on the part of the Philadelphia organization, if all these scandals that have broken in their face had just broken yesterday. But when the storm came they just trimmed their sails, they battened the hatches, they sailed before the wind, and they just let the militant citizen talk.

Now, Mr. Speaker, they are armed with a wooden gun. I say, it is a clever bit of strategy. Maybe they can get away with it this time but sooner or later the people of Philadelphia are going to wake up and appreciate the fact that while the political organization does have a wooden gun, it is a deadly thing in operation in the midst of a great municipality.

Mr. GUARNIERI. Mr. Speaker, I rise in support of the proposed amendments. First, let us ask ourselves

again before we vote thereon the substance of the amendments.

For one thing we propose to amend the bill so that the charter commission which will draw up a new charter in Philadelphia, shall be an elected body, elected by the citizenry at large, instead of being a body appointed by the present city council of Philadelphia.

In the second instance, we propose to amend Senate Bill 5 to the end that future proposed amendments to any city charter, proposed and made by the citizenry of Philadelphia, shall be voted upon by the citizens without a veto, without a councilmanic veto, over the proposed vote of the citizenry for amendment. Those in substance are the two broad amendments.

We have heard very much recently in world affairs about these veto powers, and even in international relations we know that the exercise of the veto politically used can make futile all attempts at cooperative and democratic organization in international relations, and the same thing is true in our own domestic field. I would say this matter can be approached on principles and on practice, and perhaps if your present city council of Philadelphia was representative of the overwhelming majority of the people of Philadelphia, in practice perhaps it would be not a danger for such a body to appoint a commission to draw up a charter. That is the practical aspect.

Secondly, there is the principle aspect, the theory or principle, whether it be in conformity with our principle that any important constitutional body which is setting out to rewrite the fundamental and the basic law of a great municipality shall be a hand picked one or whether it should be an elected one. In principle, I don't believe anyone, any statesman, any politician or any representative here, could argue against the principle that any matter affecting the fundamental law should be acted upon by a truly representative body elected by the people. Next as far as the practical aspect is concerned, I say that perhaps there may not be a danger in allowing the commission to be appointed, if the present city council was truly representative of the people of Philadelphia But it is not. You gentlemen from the outlying districts or the outlying counties or areas around Philadelphia should remember and bear this in mind, that the present city council in Philadelphia consists of twenty-one members, all of whom are members of one party—twenty-one members, all members of one party. Truly such a city council and also a mayor of the same party do not represent an overwhelming number of voters; nearly a majority of the people of Philadelphia are of the Democratic party, all of whom have no representation in city council. Also reflect that this present Republican administration in city council and the mayor in Philadelphia, represent an organization entrenched in Philadelphia for a period of nearly seventy years. These gentlemen have the effrontery to ask us to permit them to perpetuate themselves in power by appointing by their own hand a charter commission to rewrite the basic and fundamental law for the people of Philadelphia.

I say in all fairness to yourselves, examine your conscience and determine for yourselves how unconscionable it would be for a group which has fastened its tentacles on this fair city of ours for a period of nearly a century, to come here and ask that it alone be permitted to make the proposed charter for the city of Philadelphia, that the city council be permitted to veto any proposed amendments to the charter that the people may present. It may seem a laughing matter to some, but, gentlemen, when we reflect upon the fundamentals of our body politic we will see for ourselves that it is not a slight matter, but it is important. I don't have to say to you, gentlemen, that power feeds upon power. Any organization, any political organization, or any non-political organization whatever it may be, having the power in the present instance, will only seek to perpetuate itself.

I might say that it would be a natural sociological process or a natural law that power should seek to perpetuate itself. We as reflecting individuals must recognize that; we must also recognize the dangers that lie therein. Of course, it is very comfortable for us or any one party which may be in power at one time to feel well satisfied and very elated that it has means at that particular moment to perpetuate itself. But, reflect, gentlemen, that on the precedent we set today, an evil precedent may in turn be used against us in the future, and that principle I would state, not only for one party but for all, is a fundamental principle of government. The price of liberty, the price of republican institutions, is eternal vigilance. The price thereof is unending self sacrifice. It is easy for us to perpetuate oureslves today, but at the same time we destroy our institutions. We must to perpetuate our system of government indulge in some self sacrifice for our principles of self government. I say to the Republican party, the majority party, do not deceive yourselves in attempting to perpetuate yourselves—do not deceive yourselves by setting a very dangerous precedent. There have been other instances historically where bodies have enacted self perpetuating measures such as this.

I will not take up your time, I think you know what I mean—don't deny to the people of Philadelphia the general well being and welfare of the city. I say to you let us not in the city of Philadelphia perpetuate the yoke of one-party rule which you shall do if we do not support the amendments at this time.

Mr. CHARLES C. SMITH. Mr. Speaker, first of all let me say I will be brief. We feel that we should in the city of Philadelphia give the appointive power to council and the mayor of this city for several reasons.

First of all, there are a lot of outstanding and prominent people of the city of Philadelphia who definitely would not indulge in a political battle. That is not only true of the minority group; that is also true of the majority side.

Mr. Speaker, the gentlemen have failed to say, however, that we in Philadelphia in formulating this bill have given minority representation. One gentleman did mention that we have twenty-one councilmen, that is true, but this commission will consist of fifteen members of the Republican party and five Members of the Democratic or minority party. We feel that by doing this, by the appointive power, we will have a fair representation not only of the majority side but also of the minority side.

Again, let me say that we feel that we have the home rule process where the mayor and council have been definitely elected by the city of Philadelphia. Who, better than they, can select the charter commission?

I would like to say that I definitely do not want to get into a debate with the Minoriy Leader, as I recognize his ability, but I would like to remind him and the other members of the House, that what he calls a screening process by having council screen twenty thousand signers of the petition. He mentioned this is a strangle hold. That may be true but we in this House of Representatives, have that same strangle hold in the Commonwealth of Pennsylvania. The Constitution of the Commonwealth of Pennsylvania provides that there cannot be an amendment to the Constitution unless we in this house vote for it at two successive sessions. We are not asking any more for Philadelphia than the regulations of our great Commonwealth. You know that all constitutional amendments have to pass two consecutive sessions. We are only asking for the same thing in Philadelphia. I will mention again that on the petition of twenty-thousand people, that is two per cent of the people of Philadelphia, less than two per cent—twenty thousand people are not too many people. We could have that many people every month if they were not screened by city council. I believe that the amendments to this bill are bad, and I ask you to vote them down.

Mr. ROSE. Mr. Speaker, I think the gentleman was in error when he said there was no mention of the fact that there would be minority representation on the charter commission, as proposed in this bill. I definitely said that while the bill does provide for the appointment of minority members we felt that the minority, as well as the majority members should be elected by the electorate. The gentleman also stated that he felt that the council should have an opportunity to screen.

Mr. Speaker, as I pointed out previously, we have faith and confidence in the people of Philadelphia. If the proposed amendments for the charter were unwise or unwieldy in nature, something not for the benefit of the citizens of Philadelphia, the people would have an opportunity to vote on it. We trust the people. I say that the proponents of this measure, the majority party, do not trust the people. Because they feel that this little group in the city council who have earned the utter disgust and the ire of the citizenry of Philadelphia are the ones who will determine what amendments shall be submitted to the voters. I say that the people of Philadelphia in their ultimate wisdom would not accept measures that are inimical to their welfare.

The gentleman referred to an editorial in this morning's Philadelphia Inquirer. He also states that the civil organizations of Philadelphia were in favor of this measure. May I point out that there has been called to my attention an article in this morning's Inquirer, and if the gentleman had not been too busy perusing the editorial page and the women's page, he could have pointed out that Lewis M. Stevens, Chairman of the Executive Committee of the greater Philadelphia movement, yesterday criticized the Republican bill for giving the voters no voice in making recommendations in the basic law. The article goes on to say:

> "Lewis M. Stevens, Chairman of the Executive Committee of the greater Philadelphia movement, yesterday criticized the Republican Lord Bill for 'giving the voters no vote' in making direct amendments to the basic law of the city.
>
> "In a three hundred and thirty word telegram sent to the State legislature, Stevens declared, 'the Lord bill in its present form is definitely unsatisfactory to the greater Philadelphia movement and to all Philadelphia civic agencies.'
>
> "Stevens proposed changes in the Lord Bill that would make it possible for the voters here to supersede the veto of council on amendments to the constitution."

Mr. Speaker, that is what our amendment proposes to do. We are following the recommendation of the civic agencies, and Mr. Stevens represents the greater Philadelphia movement. I submit, if the Members of the House are really interested in good government and home rule they should support these amendments. If they want to go along with their skullduggery and their present tactics, they will vote down these amendments.

Mr. CHARLES C. SMITH. Mr. Speaker, just one word; if the gentleman, Mr. Stevens, wants to be consistent, I would suggest that he write an amendment to the United States Constitution and to the Constitution of the Commonwealth of Pennsylvania.

On the question recurring,

Will the House agree to the amendments to section 2?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendments:

Amend Sec. 3, page 3, line 14, by striking out the word "Appointment" and inserting in lieu thereof: "Election."

Amend Sec. 3, page 3, lines 16 to 19, both inclusive, by striking out the words "and the mayor of the city shall appoint a commis" in line 16, and all of lines 17 to 19, both inclusive.

Amend Sec. 3, page 4, lines 1 to 4, both inclusive, by striking out all of said lines, and inserting in lieu thereof, the following: "shall issue a write of election to the board of elections for the election at large of a commission of fifteen registered electors of the city to frame a new charter."

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Rose and Mr. Scanlon and were as follows:

YEAS—79

Amarando,	Hamilton,	Mills,	Rosen,
Andrews,	Harris,	Monroe,	Rovansek,
Bane,	Heatherington,	Moran,	Sarraf,
Beaver,	Hoggard,	Munley,	Scanlon,
Brandon,	Hunter,	Musto,	Schmidt,
Breth,	Jenkins,	Nagel,	Seyler,
Bucchin,	Jim,	Needham,	Snider,
Cochran,	Jones, G. E.,	Nixon,	Stank,
Cole,	Jones, J. M.,	Penglase,	Sternberg.
Coleman,	Kamyk,	Pentrack,	Swope,
Conway,	Kirley,	Peta,	Taylor,
Dougherty,	Kolankiewicz,	Pettigrew,	Varallo,
Duffy,	Kondrath,	Pfaff,	Verona,
Filo,	Lederer,	Polen,	Welsh,
Floyd,	Leonard,	Posta,	Westrick,
Gaffney,	Limper,	Powers,	Wheeler,
Glembocki,	Lovett,	Price, R. A.,	Williams,
Good,	McGee,	Reidenbach,	Yester,
Guarnieri,	McNally,	Reynolds,	Yetzer,
Hagerty,	Mihm,	Rose,	

NAYS—110

Altshuler,	Flack,	Kohl,	Robertson,
Barkdoll,	Fleming,	Kratz,	Royer,
Baumunk,	Fox,	Kurtz,	Sax,
Bednarek,	Frank,	Lee,	Scott,
Blair,	Frost,	Leisey,	Shoemaker,
Bloom,	Gallagher,	Loftus,	Smith, C. C.,
Bomberger,	George,	Madigan,	Spencer,
Boorse,	Gibson,	McCormack,	Stimmel,
Bower,	Goodling,	McCullough,	Stuart,
Breisch,	Graybill,	McKinney,	Tahl,
Brown, W. E.,	Green,	McMillen,	Tompkins,
Brunner,	Greenwood,	Mikula,	Toomey,
Cadwalader,	Greer,	Miller,	Varner,
Clapper,	Guthrie,	Milliken,	Wachhaus,
Clendening,	Hall,	Mintess,	Wagner,
Cooper,	Harney,	Moore, C. E.,	Waterhouse,
Costa,	Haudenshield,	Moore, H. A.,	Watkins,
Dalrymple,	Helm,	Murray,	Weidner,
DeLong,	Herman,	Najaka,	Wescott,
Dennison,	Hocker,	Neff,	Wood,
Depuy,	Hoffman,	O'Donnell,	Worley,
Driscoll,	Jennings,	Orban,	Yaffe,
Dye,	Johnson,	Price, H. W., Jr.,	Yeakel,
Elder,	Jump,	Propert,	Young,
Ewing,	Keller,	Reagan,	Ziegler,
Felton	Kemp,	Reilly, J. M.,	Sorg,
Ferster,	Kent,	Riley, R. L.,	Speaker
Firmstone,	Kline,	Robbins,	

NOT VOTING—19

Boles,	Hersch,	Petrosky,	Sollenberger,
Brice,	Hewitt,	Readinger,	Thompson,
Brown, H. S.,	Krise,	Reese,	Wargo,
Erb,	O'Dare,	Schuster,	Weiss,
Evans,	Olsen,	Smith, W. B.,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendments:

Amend Sec. 5, page 4, line 13, by striking out the word "appointed" and inserting in lieu thereof: "elected."

Amend Sec. 5, page 4, line 14, by striking out the word "appointment" and inserting in lieu thereof: "election."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendments:

Amend Sec. 6, page 6, lines 4 to 10, both inclusive, by striking out the words "upon the filing of" in line 4, and all of lines 5 to 9 both inclusive and the words "currence of a majority of its elected members shall so determine" in line 10.

Amend Sec. 6, page 6, lines 12 and 13, by striking out the words "otherwise the petition shall be deemed denied Upon the adoption."

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Rose and Mr. Scanlon and were as follows:

YEAS—79

Amarando,	Hamilton,	Mills,	Rosen,
Andrews,	Harris,	Monroe,	Rovansek,
Bane,	Heatherington,	Moran,	Sarraf,
Beaver,	Hoggard,	Munley,	Scanlon,
Brandon,	Hunter,	Musto,	Schmidt,
Breth,	Jenkins,	Nagel,	Seyler,
Bucchin,	Jim,	Needham,	Snider,
Cochran,	Jones, G. E.,	Nixon,	Stank,
Cole,	Jones, J. M.,	Penglase,	Sternberg,
Coleman,	Kamyk,	Pentrack,	Swope,
Conway,	Kirley,	Peta,	Taylor,
Dougherty,	Kolankiewicz,	Pettigrew,	Varallo,
Duffy,	Kondrath,	Pfaff,	Verona,
Filo,	Lederer,	Polen,	Welsh,
Floyd,	Leonard,	Posta,	Westrick,
Gaffney,	Limper,	Powers,	Wheeler,
Glembocki,	Lovett,	Price, R. A.,	Williams,
Good,	McGee,	Reidenbach,	Yester,
Guarnieri,	McNally,	Reynolds,	Yetzer,
Hagerty,	Mihm,	Rose.	

NAYS—110

Altshuler,	Flack,	Kohl,	Robertson,
Barkdoll,	Fleming,	Kratz,	Royer,
Baumunk,	Fox,	Kurtz,	Sax,
Bednarek,	Frank,	Lee,	Scott,
Blair,	Frost,	Leisey,	Shoemaker,
Bloom,	Gallagher,	Loftus,	Smith, C. C.,
Bomberger,	George,	Madigan,	Spencer,
Boorse,	Gibson,	McCormack,	Stimmel,
Bower,	Goodling,	McCullough,	Stuart,
Breisch,	Graybill,	McKinney,	Tahl,
Brown, W. E.,	Green,	McMillen,	Tompkins,
Brunner,	Greenwood,	Mikula,	Toomey,
Cadwalader,	Greer,	Miller,	Varner,
Clapper,	Guthrie,	Milliken,	Wachhaus,
Clendening,	Hall,	Mintess,	Wagner,
Cooper,	Harney,	Moore, C. E.,	Waterhouse,
Costa,	Haudenshield,	Moore, H. A.,	Watkins,
Dalrymple,	Helm,	Murray,	Weidner,
DeLong,	Herman,	Najaka,	Wescott,
Dennison,	Hocker,	Neff,	Wood,
Depuy,	Hoffman,	O'Donnell,	Worley,
Driscoll,	Jennings,	Orban,	Yaffe,
Dye,	Johnson,	Price, H. W., Jr.,	Yeakel,
Elder,	Jump,	Propert,	Young,
Ewing,	Keller,	Reagan,	Ziegler,
Felton,	Kemp,	Reilly, J. M.,	Sorg,
Ferster,	Kent,	Riley, R. L.,	Speaker
Firmstone,	Kline,	Robbins,	

NOT VOTING—19

Boles,	Hersch,	Petrosky,	Sollenberger,
Brice,	Hewitt,	Readinger,	Thompson,
Brown, H. S.,	Krise,	Reese,	Wargo,
Erb,	O'Dare,	Schuster,	Weiss,
Evans,	Olsen,	Smith, W. B.,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The seventh section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendment:

Amend Sec. 7, page 8, line 18, by inserting after the word "petition" the following: "because of irregularities therein."

It was not agreed to.

The section was agreed to.

The eighth and ninth sections were separately read and agreed to.

The tenth section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendment:

Amend Sec. 10, page 14, line 4, by striking out the words "primary or."

It was not agreed to.

The section was agreed to.

The eleventh, twelfth, thirteenth, fourteenth, and fifteenth sections were separately read and agreed to.

The sixteenth section was read.

On the question,

Will the House agree to the section?

Messrs. GUARNIERI and ROSE offered the following amendments:

Amend Sec. 16, page 17, line 14, by striking out the word "appointment" and inserting in lieu thereof: "election."

Amend Sec. 16, page 17, line 18, by striking out the word "appointment" and inserting in lieu thereof: "election."

Amend Sec. 16, page 17, line 19, by striking out the word "appointment" and inserting in lieu thereof: "election."

Amend Sec. 16, page 18, line 8, by striking out the word "appointment" and inserting in lieu thereof: "election."

They were not agreed to.

The section was agreed to.

The seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167,

Senate Bill No. 160, Printer's No. 40 and

Senate Bill No. 218, Printer's No. 148

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State institution providing for a board of trustees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets

And said bill having been read at length the second time and agreed to,

Ordered, To be trnscribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 565, Printer's No. 159

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 177, as follows:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term

of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" is hereby amended by adding after clause (f) thereof two new clauses to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

(g) "School building" shall mean but shall not be limited to any structure used or useful for schools and playgrounds including facilities for physical education

(h) "Cost of a project" shall include but shall not be limited to the cost of all real estate properties rights and easements acquired the cost of construction of school buildings and the furnishing and equipment thereof all financing charges interest prior to and during construction engineering architects' and legal expenses including the cost of plans specifications and surveys estimates of costs and revenues administrative expenses and such other expenses as are necessary or incident to the financing herein authorized or to determine the feasibility or practicability of any project and the condemnation of property necessary for use of or in connection with any school building

Section 2 Section three clauses (h) (i) and (n) of section four section five and subsection (a) of section six of said act are hereby amended to read as follows

Section 3 State Public School Building Authority The Governor the State Treasurer the Auditor General the Superintendent of Public Instruction the Secretary of Property and Supplies the President Pro Tempore of the Senate the Speaker of the House of Representatives the minority leader of the Senate the minority leader of the House of Representatives and their respective successors in office are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of the "State Public School Building Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members

Section 4 Purposes and General Powers

* * * * *

(h) To fix alter charge and collect rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority not provided for by appropriation by the Commonwealth or otherwise the construction improvement repair equipping and furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money for the purpose of paying the cost of any project make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (hereinafter called "bonds") of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

* * * * *

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its school districts nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its school districts nor shall the Commonwealth or any of its school districts be liable for the payment of principal or interest on such obligations

Provided further That all contracts between the Authority and school districts shall be conditioned upon the preparation of general plans for the orderly development of improved attendance areas and administrative units and for the improved housing of the public schools of the Commonwealth These plans shall be prepared cooperatively by local county and State school authorities in accordance with standards and regulations prescribed by the Department The Department shall have authority and its duty shall be to review all construction projects to determine

(1) The extent to which they conform to general county and State plans

(2) The amount of improvement to be brought about in attendance areas and administrative units

(3) The adequacy of the proposed building with respect to educational design location usefulness for community activties safety comfort and convenience

(4) The ability of the local school district or districts to amortize the cost of [construction] the project and to defray the cost of operation and maintenance

No contract shall be executed between the Authority and school districts without the specific written approval of the Department

Section 5 Contracts to Lease and Leases by School Districts from Authority Any school district or districts within the Commonwealth shall have power and authority with the approval of the [Governor] Superintendent of Public Instruction to enter into contracts with the Authority to lease as lessee from the Authority any school building and the furnishings and equipment thereof constructed or improved by the Authority for a term with respect to each not exceeding [thirty] [(30)] forty (40) years at such rental or rentals as may be determined by the Authority and upon the completion of said school building and the furnishings and equipment thereof the school district or districts shall have power and authority Public Instruction to lease as lessee any school building with the approval of the [Governor] Superintendent of and the furnishings and equipment thereof completed by the Authority for a term with respect to each not exceeding [thirty (30)] forty (40) years at such rental or rentals as may be determined by the Authority

Section 6 Purposes and Powers Bonds (a) The bonds of the Authority hereinabove referred to and authorized

to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding [thirty (30)] forty (40) years from their respective dates bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of the Authority as such resolution or resolutions may provide The bonds shall [be signed by such officers as the Authority shall determine] bear the facsimile signatures of the Governor and of the President of the Authority together with a facsimile of the corporate seal and the manual signature of the secretary and treasurer in attestation thereof and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids the notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals the name of the officer to whom bids or proposals shall be delivered and a statements of the terms and conditions of sale Provided that any of said bonds may be sold to the State Employes' Retirement Board the State Employes' Retirement Fund or to the School Employes' Retirement Board or to any other custodial board or fund without advertisement or competitive bidding Pending the preparation of the definitive bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Such bonds are hereby made securities in which all officers of the State and its political subdivisions and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 3 Said act is hereby amended by adding after section six thereof a new section to read as follows

Section 6.1 Refunding Bonds The Authority is hereby authorized to provide by resolution of the board for the issuance of refunding bonds for the purpose of refunding any bonds of the Authority issued under the provisions of this act and then outstanding either by voluntary exchange with the holders of such outstanding bonds or to provide funds to redeem and retire such outstanding bonds with accrued interest and any premium payable thereon at maturity or at any call date The issuance of such refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Authority in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable Refunding bonds may be issued by the Authority to refund bonds originally issued or to refund bonds of the Authority previously issued for refunding purposes

Section 4 Sections eight nine ten and fourteen of said act are hereby amended to read as follows

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board Within ninety days after this act shall become effective the board shall meet and organize by electing from their number a president treasurer and secretary At the first regular meeting in each year thereafter they shall elect from their number a president and secretary

Five members shall constitute a quorum of the board for the purpose of organizing the Authority and conducing the business thereof and for all other [purpose] purposes and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out one the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth and legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to finances operation and affairs All moneys of the Authority from whatever source derived except such part thereof as may be required to pay the administrative and other costs of operating the Authority as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon

bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance or bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 10 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars ($500) such contract shall be awarded to the lowest responsible bidder after advertisement for bids once a week for three weeks in at least one newspaper of general circulation in the county where the project or improvement is located The authority may make rules and regulations for the submission of bids and the construction or improvement of any project or portion thereof No contract shall be entered into for construction or improvement of any project or portion thereof or for the purchase of materials unless the contract shall give an undertaking with a sufficient surety or sureties approved by the authority and in an amount fixed by the Authority for the faithful performance of the contract and such contract shall be accompanied by an additional bond for the protection of those who furnish labor and material for such amount and subject to the same terms and conditions as recommended by the administrative Code of one thousand nine hundred twenty-nine as amended on contracts entered into by the department of property and supplies for the erection of buildings All construction contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this action shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or [otherwise than by contract] by agreement with the Federal or State Government or any agency or department or either thereof

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof

Section 14 Exemption from Taxation The effectuation of the authorized purposes of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their welfare and prosperity and for the improvement of their education and educational facilities and since the Authority will be performing essential governmental functions in effectuating such purposes the Authority shall be exempt from payment of any taxes or assessments upon any property acquired held owned leased or used by it for such purposes and the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 5 Said act is hereby amended by adding after section fourteen thereof a new section to read as follows

Section 14.1 Scope of Act This act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 254, Printer's No. 544

was passed over at the request of the SPEAKER.

Agreeaby to order,

The House proceeded to the third reading and consideration of House Bill No. 280, as entitled:

An Act to amend sections six hundred seventy-nine and six hundred eighty of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the limitation upon the levy of per capita tax

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. NEFF. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 363, Printer's No. 526 and

House Bill No. 403, Printer's No. 231

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 460, as follows:

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

Contents

Article	Sections
I. Preliminary Provisions	101-[111] 110
II. Classification and Creation of Townships of the First Class	201- 235
(a) Classification	201
(b) Creation of Townships of First Class from Town- of the Second Class	205- 208
(bb) Reestablishments of Townships of the Second Class	209- 209a
(c) Creation of Townships of the First Class by [Division and] Consolidation	210-[221] 219
(d) Officers of Newly Created Townships	225-[229] 228
(e) Certificate of Creation of Townships to be Furnished State Departments	235
III. Township Lines and Boundaries	301- 307
IV. Wards	401-[409] 408
V. Election of Officers Vacancies in Office	501-[532] 533
(a) General Provisions	501- 503
(b) Commissioners	504-[507] 505
(c) Treasurer	510- 511
(d) Assessors	515-[517]
(e) Auditors	520
(f) Controller	525- 526
(g) Vacancies in Office	530- 533
Township Officers	601-[623] 650
VI. General Provisions Relating to	
(a) General Provisions	601-[604] 605
(b) County Associations of Township Officers	610- 612
(c) State Association of Township Officers	620- 623
(d) Civil Service for Police and Firemen	625- 650
VII. Township Commissioners	701- 704
VIII. Township Treasurer	801-[809] 808
IX. Township Secretary	901- 903
X. Auditors	1001-1019
XI. Controller	1101-[1113] 1110
XII. Township Solicitor	1201-1204
XIII. Township Engineer	1301-1315
(a) General Provisions	1301-1306
(b) Real Estate Registry	1310-1315
XIV. Police	1401-[1414] 1415
XV. Corporate Powers	1501-1502
XVI. Public Health	1601-1627
(a) Boards of Health	1601-1614
(b) Vacation of [Lanes and Alleys] Streets Declared Nuisances by board of Health	1620-1627
XVII. Finance and Taxation	1700 [1701-1719] 1712
XVIII. Contracts	1801-[1807] 1811
XIX. Eminent Domain Assessment of Damages and Benefits	1901-1953
(a) General Provisions Relating to Eminent Domain	1901-[1916] 1918
(b) Procedure for the Exercise of Eminent Domain and for the Assessments of Damages and Benefits	1920-1953
XX. [Roads] Streets [and Highways]	2001-2096
(a) Plans of Streets	2001
(b) Laying Out, Opening, Widening Straightening Vacating and Relaying [Out] [Roads] Streets Et Cetera Repairs and Detours	2005-2015
(c) Dedicated [Roads] Streets [Lanes Alleys] and Drainage Facilities	[2020] 2019-2025
(d) Relocation Alteration and Vacation of [Roads] Streets in or near State Parks	2030-2033
(e) Elimination of Curves	2035
(f) Acquisition of Unobstructed Views at Curves and Intersections	2040
(g) Changing or Altering [Roads] Streets by Agreement with Property Owners	2045
(h) Grading Draining Curbing Paving Macadamizing [Roads or] Streets on Petition and Assessment of Benefits by Viewers	2050-2056

(i) Grading Draining Curbing Paving or Macadamizing Streets and Collection of Cost by Foot Front Rule 2060-2063
(j) Road Material Ditches Drains and Watercourses 2065-2067
(k) Trees Shrubbery and Obstructions Within Limits of [Highways] Streets .. 2070-[2075]
(l) Protection of [Highways] Streets from Snowdrifts 2078
(m) Guideposts and Index Boards 2080-2081
(n) [Highways] Streets Crossing Railroads Special Uses of [Highways] Streets 2083-2084
(o) County-aid in the Improvement of Township [Roads] Streets 2086
(p) Penal Provisions 2088
(q) Opening Making Amending and Repairing [Highways] Streets and Bridges by Contracts with Taxpayers 2090-2096
XXI. Boundary Roads and [Highways] Streets 2101-2130
(a) Opening Repairing and Improving Streets on Division Line of Townships 2101
(b) Maintenance of [Roads] Streets between Township and Cities or Boroughs 2105
(c) [Highway] Street the Center Line of which is the Dividing Line between Townships and Boroughs or Cities in the Same County 2110
(d) [Highway] Street the Center line of which is the Dividing Line between Townships and Cities in an Adjacent County ... 2115
(e) Improvement of Street where more than One-Half of Width is in Township Assessment of Property outside Limits 2120
(f) Assessment of Property outside Limits of Township for Street Improvements 2125
(g) Grading Curbing Paving Macadamizing Boundary Street Et Cetera 2130
XXII. Bridges and Viaducts 2201-2225
(a) As Part of [Road] Street [Highway Lane or Alley] 2201
(b) Over Railroads 2205-2206
(c) Over Marshy or Swampy Grounds Creeks Rivulets Gullies Canals and Railroads 2210-2211
(d) Over Streams Railroads and Canals on Township Boundaries 2220-2222
(e) Maintenance Repair and Rebuilding of Bridges Built by County 2225
XXIII. Sidewalks 2301-2304
XXIV. Sewers and Drains ..... 2401-[2441] 2445
(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and Rates Disposal of Sewage Assessment of Cost of Construction ... 2401-2410
Assessment of Prroperty outside Limits of Township for Sewers 2411
(b) Acquisition of Sewer System from Private Interests Distribution of [Cost] Costs 2415
(c) Contracts with Individuals or Corporations for Construction and Maintenance of Sewer and Drainage Systems 2420
(d) Sewers and Drains in Streets [or Alleys] or over Private Property Assessment of Cost of Construction According to Benefits 2425
(e) Sewers under State and County Highways 2430-2431
(f) Connecting with Sewer of Adjoining Municipality . 2435-2436
(g) Joint Sewers and Drains 2440-2441
(h) Non-debt Revenue Sewer Bonds 2445
XXV. Collection by Instalment of the Cost of Street Curb Sidewalk and Sewer Improvements 2501-2507
XXVI. Revolving Fund for Street and Sewer Improvements 2601-2602
XXVII. Water Supply and Waterworks 2701-2712
(a) Acquisition Construction and Maintenance 2701-2705
(b) Construction Acquisition and Maintenance of Waterworks in Connection with [Boroughs] Municipalities 2710-2712
XXVIII. Public Buildings 2801-2806
XXIX. Licenses and License Fees 2901-2912
(a) Transient Retail Merchants 2901
(b) Restrictions 2910-2912
XXX. Parks Recreation Centers Shade Trees and Forests 3001-3048
(a) Public Parks Playgrounds and Recreation Centers 3001-[3013] 3014
(b) Shade Tree Commission .. 3020-3031
(c) Forests 3040-3048
XXX-A. Land Subdivisions 3061-3068
XXXI. Zoning ..... 3101-[3110] 3111
XXXII. Township Planning Commission 3201-[3206] 3203
XXXIII. Enforcement of Ordinances .. 3301-3305
XXXIV. Actions by and Against Townships 3401-3406
XXXV. Repeals 3501-3502

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article I and sections 101 and 110 inclusive of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby reenacted revised and amended to read as follows

Section 1 Be it enacted &c That the laws relating to townships of the first class are hereby reenacted amended revised consolidated and changed as follows

Article I

Preliminary Provisions

Section 101 Short Title Effective Date This act shall be known and may be cited as "The First Class Township [Law] Code [This act shall take effect on the first day of July one thousand nine hundred and thirty-one] This reenactment revision amendment and consolidation of the laws relating to townships of the first class shall become effective the first day of January 1950

Section 102 Definition [The word "township" or "townships" as used in this act shall mean a township of the first class unless the context indicates otherwise] The following words terms and phrases as used in this act shall have the meanings herein assigned to them unless the context clearly indicates otherwise

(a) "Township" a township of the first class

(b) "Street" includes a street road lane alley court or public square

(c) "Highway" or "State highway" a road or highway of the State highway system

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any act relating to

(a) [The procedure for] The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal [and tax] claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and the general conduct of elections

[(d) Poor district]

[(e)] (d) Public schools and school districts

[(g)] (f) Justices of the peace

[(f)] (e) Constables

[(h)] (g) State roads [State-aid roads] and private roads

[(i)] (h) Validation of elections bonds ordinances and acts of corporate officers

[(j)] (i) Free non-sectarian libraries

(j) Crimes and offenses provided for in the Penal Code

Section 104 [Saving Clauses] Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulation and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 106 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 107 How Act Applies This act shall apply to all townships of the first class within the Commonwealth as now existing or hereinafter created

Section 108 Saving Clauses Where Class of Townships Changed Whenever any township of the second class is designated a township of the first class or whenever any township of the first class is reestablished as a township of the second class [or whenever any township is divided] all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be committed prior to such change of class [or division] and all ordinances instituted to enforce any right or penalty accrued or punish any offense resolutions rules and regulations shall continue with the same force and effect as if no such change [or division] had been made

Section 109 Exception as to Taxation This act does not provide [a complete system] for the assessment and valuation of property and persons for the purposes of taxation or the collection of township taxes [but the taxation provisions herein contained shall be construed as supplementary to the general local taxation laws All acts and parts of acts relating to taxation in townships of the first class not inconsistent with this act in force prior to the passage of this act which are not reenacted or specifically repealed by this act shall remain in force as to such townships in the same manner as prior to the passage of this act]

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (P. L. 1784) printed in the township if there is such a newspaper and if not then in a newspaper circulating generally in such township If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bids for materials and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 2 Section 201 to 214 inclusive of said act as amended are hereby reenacted revised and amended to read as follows

Article II

Classification and Creation of Townships of the First Class

(a) Classification

Section 201 The townships now in existence and those to be here after created are divided into two classes Townships of the first class shall be those having a population of at least three hundred inhabitants to the square mile which have heretofore fully organized and elected their officers and are now functioning as townships of the first class or which may hereafter be created townships of the first class in the manner provided in this act All townships not townships of the first class shall be townships of the second class A change from one class to the other shall hereafter be made only as provided by this act or the laws relating to townships of the second class

(b) Creation of Townships of the First Class from Townships of the Second Class

Section 205 Enrollment to Ascertain Population At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the second class shall present their petition to the court of quarter sessions averring that the population of the township is at least three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper [published in the county] of general circulation once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

Section 206 Proclamations by County Commissioners In addition to the procedure provided in the preceding section the county commissioners of each county shall following each decennial census of the United States ascertain from such census whether any township of the second class in the county has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township has a population of three hundred inhabitants to the square mile to the township supervisors of the township

Section 207 Submission of question to Voters At the first general or municipal election occurring [or at a special election held] at least ninety days after the ascertainment by special enrollment or from the last preceding United States census [including the United States census of one thousand nine hundred and thirty and each subsequent census] that any township of the second class has a population of at least three hundred inhabitants to the square mile and after [the filing of] a petition signed by at least five per centum of the registered voters of the township has been filed in the quarter sessions court the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the [election laws of the Commonwealth A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five percentum of the registered voters of the township The costs and expenses of such a special election shall be paid by the petitioners as the court may direct] Pennsylvania Election Code

Section 208 Returns of Election and Effect Thereof The election officers shall compute the votes cast at the election provided for in the preceding section and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissioners and the township supervisors of such township If a majority of the votes cast at any such election shall be in favor of becoming a township of the first class the government of the township of the first class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the second class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the second class no further proceedings shall be had for a period of two years after which period the supervisors by unanimous action may or upon petition of ten per centum of the registered voters of the township shall through the County Board of Elections resubmit the question to the electors of the township in the manner hereinbefore provided

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the first class shall present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper [published in the county] of general circulation once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commissioners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question to Voters Returns of Election and Effect Thereof At the first general or municipal election occurring at least ninety days after the ascertainment by special enrollment or from the last preceding United States census [including the United States census of one thousand nine hundred and thirty and each subsequent census] that any township of the first class no longer has a population of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as township of the second class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter

sessions who shall tabulate the same and certify the result thereof to the county [commissioners] board of elections and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall through the county board of elections resubmit the question to the electors of the township in the manner hereinbefore provided

[The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise]

(c) Creation of Townships of the First Class By Consolidation

Section 210 Manner in Which Townships of the First Class May Be Created The court of quarter sessions may upon the presentation of petitions as hereinafter provided create new townships of the first class by the consolidation of two or more townships of the first class located in the same county

Section 211 Petitions (a) Petitions for the creation of townships as provided in the preceding section shall be signed by registered electors equal in number to at least five per centum of the highest total vote cast for candidates for any office in the townships affected at the last preceding municipal election Such petition shall be sworn to and subscribed by at least three of the signers

(b) Petitions for the consolidation of townships may also be presented when signed by a majority of the commissioners of each of the townships proposed to be consolidated and sworn to and subscribed by at least one commissioner from each such township

Such petitions shall set forth the name of any proposed new township and shall specify the reasons for such consolidation Each such petition shall be accompanied by an accurate map or plot prepared by an engineer showing the lines of the new township and the present division lines between such townships Where natural marks are on such lines they shall also be shown

Section 212 Confirmation Nisi of Petition Notice of Filing Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require such notice to be given by the petitioners to the residents and commissioners of the townships affected as it deems proper

Section 213 Exceptions Confirmation Absolute of Petition Within thirty days after the filing of such petition any taxpayer of the township affected may file exceptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any exceptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are sustained and the court deems the petition not amendable it shall dismiss the petition otherwise it shall confirm the same absolutely after any amendments permitted by the court have been made

Section 214 Elections When any petition is confirmed absolutely the court shall order an election to be held on the question of the consolidation of such townships which shall be held on the day of the next general or municipal election occurring at least [sixty] ninety days after such order of court Such election shall be held at the regular polling places in the townships affected At any such election all of the [qualified] registered electors of the townships affected by such consolidation shall have the right to vote The ballots at such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots as provided by the [election laws of the Commonwealth] Pennsylvania Election Code

Section 3 Section 215 of said act is hereby repealed

Section 4 Sections 216 217 218 and 219 of said act are hereby reenacted revised and amended to read as follows

Section 216 Return of Election Decree The election officers after the polls have been closed shall count the ballots and certify the number of votes cast for and against such consolidation to the clerk of the court of quarter sessions who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in each of the townships affected are in favor of the consolidation of two or more townships the court shall order and decree the creation of the new township agreeably to the name and lines set forth in the petition and the government of the new township shall be organized and become effective on the first Monday of January next succeeding such election at which time the terms of office of township officers in such townships shall cease and terminate If a majority of the votes cast in any of the townships affected are against the consolidation of such townships no further action shall be had upon said proceedings No new proceeding shall be entertained by the court for a period of two years

Section 217 Boundary Monuments The court shall when deemed necessary cause the lines of any such new township to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet the cost thereof to be paid by the new township

Section 218 Classification of New Townships Townships created by the consolidation of townships are herein provided shall be and remain townships of the first class unless and until by subsequent proceedings in accordance with [laws relating to townships of the second class] this act any such township shall be reestablished or proclaimed to be a township of the second class

Section 219 Costs When a township of the first class is created as hereinbefore provided the costs of the proceedings shall be paid by such township and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the consolidation of any such township the costs of the proceedings shall be paid by the townships proposed to be consolidated as the court may direct

Section 5 Section 221 of said act is hereby repealed

Section 6 Sections 225 226 227 and 228 of said act are hereby reenacted revised and amended to read as follows

(d) Officers of Newly Created Townships

Section 225 Officers for New Townships Whenever a new township of the first class shall be created in accordance with any of the procedures in this article the court of quarter sessions shall appoint five commissioners and the other elective officers to which the township is entitled and fix the polling place or places in such townships The officers so appointed shall hold their offices from the first Monday of January following the election creating such township until the first Monday of January following the municipal election at which officers of the township are elected as hereinafter provided

Section 226 Election of Commissioners in New Townships At the first municipal election following the creation of a township as hereinbefore provided if such township has not been divided into wards there shall be elected

five township commissioners at large Three of such commissioners shall be elected for terms of four years each and two for terms of two years each from the first Monday of January next following such election The ballots at such election shall designate the term for which each commissioner is elected Their successors shall be elected for terms of four years in accordance with this act

Section 227 Election of Treasurer in New Townships At such municipal election the qualified electors of such township shall elect a township treasurer for a two or four year term so that his term shall expire at the same time as the terms of treasurers of other townships of the first class under the provisions of this act Thereafter the term of treasurer of said township shall be four years from the first Monday of January next following his election

Section 228 Election of Township Assessor and Assistant Township Assessor in New Townships At such municipal election one township assessor shall be elected for a term of four years and one assistant township assessor for a term of two years Thereafter the terms of such township assessor and assistant township assessor shall be four years from the first Monday of January succeeding their respective elections

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed

Section 7 Section 229 of said act is hereby repealed

Section 8 Section 235 of said act is hereby reenacted revised and amended to read as follows

(e) Certificate of Creation of Townships to be Furnished State Departments

Section 235 Whenever a township of the first class is created the clerk of the court shall certify such creation to the [Secretary] Department of Internal Affairs and [Secretary] Department of Highways of the Commonwealth The clerk of the court shall be allowed a fee of [two] three dollars and fifty cents for his service to be paid as part of the costs of the proceedings

Section 9 Article III and sections 301 to 307 inclusive of said act are hereby reenacted revised and amended to read as follows

Article III

Township Lines and Boundaries

Section 301 [Center Line of Navigable Stream as Boundary] Stream Boundaries When any township is bounded by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such [townships or] township and [any] the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 302 [Petition to Alter or Ascertain Township Lines and] Establishment of Boundaries The courts of quarter sessions may upon the presentation of a petition (a) alter the lines of [two or more] a township and any adjoining [townships] township borough or city so as to suit the convenience of the inhabitants thereof (b) cause the lines or boundaries of townships to be ascertained and established and (c) ascertain and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs When any such petition is presented the court may require the petitioners to file a bond in sufficient sum to secure the payment of all costs of the proceeding

Section 303 [Appointment and Report of Commissioners] Petition to Court Commissioners' Report Upon application by petition [to the court for any of the purposes set forth in the last preceding section] the court shall appoint three impartial citizens one of whom shall be a registered [civil] surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the [said] lines or boundaries and they or any two of them shall prepare a report together with their opinion of the same and accompany it with a plot or draft of the lines and boundaries proposed to be altered or ascertain and established if the same cannot be fully designated by natural lines or boundaries Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 304 Exceptions and Procedure Exceptions to any such report may be filed by any person interested or political subdivision within thirty days after the filing of the report and the court may thereupon fix a day for the hearing of such exceptions of which [hearing] such notice shall be given as the court [shall] may direct After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or refer the report back to the same or new commissioners with like authority to make another report on which like legal proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report

Section 305 Monuments Whenever any such township line or boundary is altered or ascertained and established the court shall cause the same to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet

Section 306 [Pay] Compensation and Expenses of Commissioners [Civil Engineer and Chain-carriers] Costs The [pay] compensation and expenses of commissioners appointed to alter or ascertain and establish township lines shall be [ten dollars the pay of civil engineers shall be twenty dollars and the pay of chain-carriers shall be five dollars for each day necessarily employed and five cents per mile for each mile necessarily traveled in the discharge of their duties] in the amount approved by the court The court shall by its order provide how the costs and expenses of any such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners any township [and] or municipalities interested or any of them

Section 307 Adjustment of Indebtedness Whenever the boundaries of any township have been altered or ascertained and established [upon application of the supervisors commissioners or the authorities of any school district or poor district] the court of [common pleas sitting in equity] quarter sessions may adjust the taxes debts and expenses for township municipal [poor] and school purposes between the townships municipalities [poor] and school districts affected

Section 10 Article IV and sections 401 to 408 inclusive of said act are hereby reenacted revised and amended to read as follows

Article IV

Wards

Section 401 [Petitions to Create Divide or Redivide Wards] Creation Division and Redivision of Wards The court of quarter sessions upon petition may divide or redivide any township heretofore or hereafter created into wards erect any wards out of two or more adjoining wards or parts thereof divide any wards already erected into two or more wards or alter the lines or boundaries of any two or more adjoining wards and may cause lines or boundaries of wards to be fixed and established No township shall be divided or redivided into more than fifteen wards

No ward shall be created containing less than three hundred registered electors therein and all wards which now or at any time hereafter shall contain less than

three hundred and fifty registered electors therein may in the discretion of the court be abolished and if so abolished the territory thereof shall be distributed among the remaining wards in such manner as the court of quarter sessions shall direct All other wards as heretofore established shall remain as heretofore until altered or divided as provided in this article

Provided That if in townships wherein any ward shall be abolished as herein provided the number of wards shall be reduced to less than five then the commissioner in the ward or wards abolished shall continue in office for the term for which elected and shall become [the] a commissioner or commissioners at large from such township as provided in this act with respect to townships having less than five wards

Section 402 Signing Petition Appointment and Powers of Commissioners The petition shall be signed by at least twenty free holders residents of the township or of the ward or wards the limits of which it is proposed to change Upon the presentation of the petition the court shall appoint three impartial men as commissioners one of whom shall be a [civil] registered engineer or surveyor to inquire into the propriety of granting the prayer of the petitioners The commissioners or any two of them shall make a report to the [next term of] court and shall accompany it with a plot showing the boundaries of the township and the wards before and after the proposed change whenever the same cannot be fully designated by natural lines

Section 403 Filling and Confirmation of Report Exceptions When the [same] report is presented the court shall confirm the report nisi which confirmation shall become absolute unless exceptions thereto are filed within thirty days after such confirmation nisi The court may grant a review if in its opinion a better adjudication may thereby be secured If no exceptions are filed the court may confirm the report or make such other order as by it shall be deemed proper If exceptions are filed the court shall fix a time for hearing and thereafter shall enter such decree as by it shall be deemed just and proper From the final decree as entered by the court of quarter sessions there shall be no appeal

Section 404 [Pay] Compensation of Commissioners The commissioners appointed under the provisions of this act shall receive [ten dollars per diem except the civil engineer who shall receive twenty dollars per diem Each commissioner shall also be entitled to mileage at the rate of five cents per mile circular] such compensation as the court shall fix The compensation of the commissioners [and mileage] and reasonable attorney's fees shall be paid by the township in all cases where the prayer of the petitioners is granted and in other cases shall be paid by the petitioners

Section 405 Election Districts The court of quarter sessions may from time to time divide any such ward into two or more election districts so as to suit the conveniences of the electors thereof

Section 406 Numbering of Wards When any township shall be divided or redivided into wards or when any ward in any township shall be created divided or altered the court shall in its decree fix the number of each of the wards of such township

Section 407 Schedule for Election of Commissioners in Townships First Divided into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the [qualified] registered electors of each ward of the township one township commissioner who shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of terms of township commissioners elected for such numbered wards under the provisions of this act Thereafter successors to such commissioners shall be elected [by wards shall be elected] for terms of four years each at the municipal election immediately preceding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the [qualified] registered electors of such new ward one township commissioner who shall reside in the ward for which he is elected for a term of two or four years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for terms of four years The number of commissioners thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioners elected under this section

shall take office on the first Monday of January next succeeding their election

Section 11 Section 409 of said act is hereby repealed

Section 12 Sections 501 to 505 inclusive of said act are hereby reenacted revised and amended to read as follows

Article V

Election of Officers Vacancies in Office

(a) General Provisions

Section 501 Electors Ony Eligible No person shall be eligible to any elective office in any township unless he is [an] a registered elector of the township for which he is chosen

Section 502 Hold Until Successors Qualified Officers of townships other than township commissioners shall hold their offices until their successors are elected and qualified but such service shall not continue longer than the first Monday of January succeeding the next municipal election at which election a successor shall be elected for the unexpired term

Section 503 Elected Officers Enumerated The electors of each township shall elect (a) at least five township commissioners (b) one township treasurer (c) except as hereinafter otherwise provided one township assessor and one assistant township assessor [and two assistant triennial assessors] and (d) except as otherwise hereinafter provided three elected auditors or one appointed auditor or one controller where such office has been established All elected township officers shall be registered electors of the township

(b) Commissioners

Section 504 Number and Election of Commissioners in Townships Having Wards In townships having less than five wards the number of commissioners shall be five One such commissioner shall be elected from each ward and the remaining number of commissioners to which the township is entitled shall be elected at large In townships having five or more wards one commissioner shall be elected from each ward Commissioners shall reside in the ward from which elected and shall have resided in said ward continuously for at least one year before their election Township commissioners shall be elected at municipal elections preceding the expiration of the terms of commissioners then in office for terms of four years each from the first Monday of January succeeding their election At the election in the year one thousand nine hundred and [thirty-one] fifty-one the commissioners from odd-numbered wards shall be elected and at the election in the year one thousand nine hundred and [thirty-three] fifty-three those from even-numbered wards shall be elected Elections at large shall be held at the municipal election preceding the expiration of the term of any commissioner elected at large

Section 505 Number and Election of Commissioners in Townships Not Divided into Wards In townships not divided into wards the number of township commissioners shall be five who shall be elected at large by the voters of the township At each municipal election two or three township commissioners as the case may be shall be elected for terms of four years each from the first Monday of January next succeeding to take the place of the commissioners whose terms then expire

Section 13 Section 506 of said act is hereby repealed

Section 14 Sections 510 511 and 515 of said act are hereby reenacted revised and amended to read as follows

(c) Treasurer

Section 510 Election of Treasurer At the municipal election in the year one thousand nine hundred and [thirty-three] fifty-three and every fourth year thereafter the electors of each township shall elect a township treasurer for a term of four years from the first Monday of January next following his election

When the township treasurer is unable to perform the duties of his office and fails or refuses to appoint a deputy the court of common pleas on petition of the township commissioners shall appoint a deputy treasurer to serve until the treasurer is again able to perform the duties of his office or until such deputy is removed by the court but in no instance shall such deputy serve beyond the term of the treasurer in whose office he is serving as deputy treasurer The court shall also fix the compensation of such deputy treasurer at a rate not to exceed that paid to the elected township treasurer For the time such deputy shall serve such compensation shall be deducted from the compensation otherwise payable to the township treasurer Such deputy shall furnish bond in the same manner as the bond of the treasurer

Section 511 Eligibility The same person may hold the office of township treasurer and treasurer of the school district but no township treasurer shall hold any other township office except that of tax collector

(d) Assessors

Section 515 Election of Township Assessor and Assistant Township Assessor At the municipal election preceding the expiration of the term of any township assessor or assistant township assessor and quadrennially thereafter one township assessor or one assistant township assessor or both as the case may be shall be elected for four year terms from the first Monday of January next succeeding their election

The compensation of the assistant township assessor shall be the same as provided by law for the township assessor and shall be paid by the county

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed

Section 15 Sections 516 and 517 of said act are hereby repealed

Section 16 Sections 520 525 526 530 531 532 and 533 are hereby reenacted, revised and amended to read as follows

(e) Auditors

Section 520 Election of Auditors At each municipal election one auditor shall be elected for a term of six years from the first Monday of January succeeding such election No auditor shall at the same time hold any other elective or appointive office

Any township may instead of electing three auditors as above provided or one controller as hereinafter provided provide by ordinance for the audit of its accounts by an auditor appointed by the court of [common pleas] quarter sessions of the county who shall be either a person or firm licensed as a certified public accountant or a person skilled in auditing work and where such an ordinance is so adopted such auditor shall be appointed by the court [on or before the first Monday of January each year] annually before the commencement of a fiscal year to audit the accounts of the township for the fiscal year then closing Any such appointed auditor shall have and possess all the powers and perform all the duties provided in this act for elected auditors The compensation of any such appointed auditor shall be fixed by the court In townships so providing by ordinance for an appointed auditor the office of elected auditor is hereby abolished

Whenever any township has heretofore provided by ordinance for the audit of its accounts by an auditor appointed by the court of [common pleas of] the county said township shall have the right at any time to repeal said ordinance and thereupon the office of auditor appointed by the court [of common pleas of the county] shall be abolished and said township shall have the further right at the next municipal election following the repeal of said ordinance to elect three auditors one for a term of two years one for a term of four years and one for a term of six years from the first Monday of January succeeding such election which auditors so elected shall succeed the auditor appointed by the court [of common pleas of the county] and shall have and possess all the powers and perform all the duties provided in this act for elected auditors

(f) Controller

Section 525 Election of Controller The qualified electors in every township of the first class accepting the provisions of this act relating to the controller as hereinafter provided shall at the municipal election in the year one thousand nine hundred and [thirty-three] fifty-three and every four years thereafter elect as township controller one person who shall be a competent accountant and [an] a registered elector of the township [for at least four years prior to his election] The person so chosen shall serve for a term of four years from the first Monday of January next succeeding his election

Section 526 Acceptance of Controller Provisions by Ordinance The provisions of this act relating to the controller shall not become operative or effective in any township until the board of commissioners shall by ordinance accept the provisions of this act relating to the office of controller Such office of controller shall be continued until the acceptance ordinance be repealed when it shall terminate and the accounts of township officers shall thereafter be audited by auditors as in this act provided When any township so accepts the provisions of this act the court of quarter sessions upon petition of the board of commissioners shall appoint a controller to hold office until the first Monday of January next succeeding the next municipal election at which a controller may be elected under the provisions of this act

In all townships of the first class so accepting the provisions of this act the office of township auditor is abolished

(g) Vacancies in Office

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioner in any township by reason of death resignation removal from the township or ward or otherwise the board of township commissioners of such township shall fill such vacancy by appointing by resolution a [qualified] registered voter of the ward or township as the case may be in which the vacancy occurs If the board of township commissioners of any township shall refuse fail or neglect or be unable for any reason whatsoever to fill such vacancy within thirty (30) days after the vacancy occurs then the court of quarter sessions shall upon the petition of twenty [(20)] [qualified] registered voters of the ward or township as the case may be in which the vacancy occurs appoint a [qualified] registered voter of the township to fill the vacancy In either event the person so appointed shall hold office until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 531 Auditors When a vacancy occurs in the office of township auditor by reason of death resignation removal from the township or otherwise the court of quarter sessions shall upon the petition of registered electors appoint a suitable person to fill such vacancy for the unexpired term of the person whose place he is appointed to fill

Section 532 Township Treasurer and Controller The board of township commissioners [of townships] may fill any vacancy occurring in the office of township treasurer or township controller by death resignation removal from the township or otherwise The person so appointed shall hold office until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a treasurer or controller shall be elected for the unexpired term of the person whose place he is elected to fill

Section 533 Assessors Vacancies in the office of assessor and assistant township assessors [or assistant triennial assessors in townships] shall be filled in the manner provided by law

Section 17 Section 601 602 603 and 604 of said act are hereby reenacted revised and amended to read as follows

Article VI

General Provisions Relating to Township Officers

(a) General Provisions

Section 601 Oath Every person elected or appointed to any township office in any township shall before entering upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 602 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties [and such bond is required to be executed by a surety company] the township [shall] may pay the premium on such bond [except in the case of the treasurer where the township may pay such premium]

Section 603 Compensation No township shall increase or diminish the salary compensation or emoluments of any elected officer after his election Appointed officers and employes of the township shall receive such compensation for their services as the township commissioners shall prescribe

Section 604 Failure of Officer to Perform Duties If any township officer refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by one hundred citizens owners of real estate residing in the township may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office [until the next municipal election at which time a person shall be elected] for the unexpired term

Section 18 Said act is hereby amended by adding thereto section 605 as follows

Section 605 A township may by ordinance provide as compensation to employes of not less than ten years of satisfactory service who are not less than sixty years of age a proportion of the compensation last paid to them but not in excess of fifty per centum thereof as fixed in said ordinance or amendment thereto Nothing herein shall preclude any employe of the township from joining any pension system or municipal retirement system that the township may establish or adopt The intent and purpose of this section is to permit townships without levying any special tax or exceeding the existing tax limitation for general revenue purposes to pay to their employes who are too old to advantageously join any pensioning or retirement system a reasonable annuity in lieu of joining a pension or retirement system and who are not and cannot now be socially protected by any Federal social security system

Section 19 Sections 610 611 612 620 621 622 and 623 of said act are hereby reenacted amended and revised to read as follows

(b) County Associations of Township Officers

Section 610 Formation of County Associations Meetings County associations of township officers may be formed Such associations when formed shall hold annual or semiannual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges and the administration of township governments

Section 611 Membership of Associations Expenses of Members The township commissioners and other officers

of the township designated by the township commissioners shall attend such conventions whenever possible Each township officer attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the township treasurer the sum of three dollars per day for each day's attendance and mileage at the rate of five cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township officer shall be paid for more than two days' attendance in any one year The expenses of holding any such convention shall be paid pro rata by the townships joining therein

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [ten] twenty-five dollars per annum as the other officers may determine Every township shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

(c) State Association of Township Officers

Section 620 Formation of State Association Authorized The formation of a State association of township commissioners is hereby authorized Such officers of the township as may be designated by the township commissioners may attend such meeting The association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township commissioners and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships [of the first class]

Section 621 Delegates from Townships Each township shall send at least one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed nine dollars [($9)] per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare [and] which shall be paid by the respective townships

Section 623 Expenses of Annual Meeting [Limited] The expenses of the annual meeting including expenses of committees printing and stenographers shall be paid by the respective townships joining in such State association

Section 20 Said act is hereby amended by adding to Article VI subdivision (d) and Sections 625 to 650 to read as follows

(d) Civil Service for Police and Firemen

Section 625 Appointments of Police and Firemen This subdivision (d) of this article shall not apply to any township having a police force of less than three members or to volunteer fire departments or companies employing their own operators or to townships having less than three salaried operators of fire apparatus The subdivision (d) of this article is subject as heretofore to the power of the township commissioners to determine compensation Hereafter each and every appointment to and promotion directly by the township shall be made only according to qualifications and fitness to be ascertained by examinations which shall be competitive as hereinafter provided

No person shall hereafter be suspended removed or reduced in rank as a paid employe in any police force or as a paid operator of fire apparatus of any township except in accordance with the provisions of this subdivision

Section 626 Civil Service Commission Created Appointments Vacancies There is hereby created in each township where a police force or paid fire apparatus operators as hereinbefore provided are being maintained a civil service commission hereinafter referred to as the commission The commission shall consist of three commissioners who shall be qualified electors of the township and shall be appointed by the township commissioners initially to serve for the terms of two four and six years and as terms thereafter expire shall be appointed for terms of six years

Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within the period of thirty days after such vacancy occurs

Each member of the commission created by this subdivision before entering upon the discharge of the duties of his office shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity

Section 627 Offices Incompatible With Civil Service Commissioner No commissioner shall at the same time hold an elective or appointed office under the United States government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the board of township commissioners

Section 628 Organization of Commission Quorum The commission first appointed shall organize within ten days of its appointment and shall elect one of its members as the chairman and one as the secretary The commission shall thereafter meet and organize on the first Monday of each even-numbered year Each commissioner shall be notified in writing of each and every meeting Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 629 Clerks and Supplies The township shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The township shall provide a suitable and convenient room for the use of the commission The commission shall order from the township the necessary stationery postage printing or supplies and the elected and appointed officials of every such township shall aid the commission in all proper ways in carrying out the provisions of this subdivision

Section 630 Rules and Regulations The commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this subdivision and shall be governed thereby Before any such rules and regulations are in force the same shall first be approved by the township commissioners When such rules and regulations have been so approved they shall not be annulled amended or added to without the approval of the township commissioners All rules and regulations and modifications thereof shall be printed for public distribution at the expense of the township

Section 631 Minutes and Records The commission shall keep minutes of its proceedings and records of examinations and other official actions All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be subject to reasonable regulation and open to public inspection

Section 632 Investigations The commission shall have power to make investigations concerning all matters

touching the administration and enforcement of the civil service provisions of this article and rules and regulations adopted thereunder The chairman of the commission is hereby given power to administer oaths

Section 633 Subpoenas The commission shall have power to issue subpoenas over the signature of the chairman to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expenses of the commission

All officers in public service and employes shall attend and testify when required to do so by the commission

If any person shall refuse or neglect to obey any subpoena issued by the commission he shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not to exceed one hundred dollars ($100) and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty days

If any person shall refuse or neglect to obey any subpoena issued by the commission it may apply by petition to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers necessary and in default thereof shall be held in contempt of court

Section 634 Annual Report The commission shall make an annual report to the township commissioners containing a brief summary of its work during the year which shall be available for public inspection

Section 635 General Provisions Relating to Examinations The commission shall make rules and regulations to be approved as provided in section 630 hereof providing for the examination of applicants for positions in the police force and as paid operators of fire apparatus and for promotions which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the township or in a newspaper circulating generally in the township at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination Persons male or female who served in the military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by law

Section 636 Application for Examination Each person desiring to apply for examination shall file with the commission a formal application in which the applicant shall state under oath or affirmation (a) his full name and residence or post office address (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years and (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

Section 637 Rejection of Applicant Hearing The commission may refuse to examine or if examined may refuse to certify after examination as eligible any applicant who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or narcotic drugs or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose politics or activities are subversive to the form of government set forth in the Constitutions and laws of the United States and Pennsylvania

If any applicant or person feels himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible after examination the commission shall at the request of such person within ten (10) days appoint a time and place where he may appear personally and by counsel Whereupon the commission shall then review its refusal to make such examination or certification and take such testimony as may be offered The division of the commission shall be final

Section 638 Manner of Filling Appointments Every position or employment in the police force or as paid operators of fire apparatus except that of chief of police or chief of the fire department or equivalent shall be filled only in the following manner the township commissioners shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average The township commissioners shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 637 of this subdivision Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name stricken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the township commissioners may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a non-competitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this subdivision

Section 639 Age Applicant's Residence No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of the application and has been a resident of the township for at least one year preceding immediately his application unless no such resident applicants are available

Section 640 Probation Period All original appointments to any position in the police force or as paid operators of fire apparatus shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for a cause specified in section 637 of this subdivision If at the close of a probationary period the conduct or fitness of the probationer has not been satisfactory to the township commissioners the probationer shall be notified in writing that he will

not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

Section 641 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the township commissioners may nominate a person to the commission for non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy It shall thereupon become the duty of the commission within three weeks to hold a competitive examination and certify a list of eligibles and a regular appointment shall then be made from the name or names submitted by the commission Provided however That nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in cases of riot or other emergency or of operators of fire apparatus in emergency cases

Section 642 Promotions Promotions shall be based on merits to be ascertained by examinations to be prescribed by the commission All questions relative to promotions shall be practical in character and such as will fairly test the merit and fitness of persons seeking promotion

The township commissioners shall have power to determine in each instance whether an increase in salary shall constitute a promotion

Section 643 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the commission No person shall be eligible to take an examination until said doctor certifies that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired

Section 644 Removals No persons employed in any police or fire force of any township shall be suspended removed or reduced in rank except for the following reasons (1) physical or mental disability affecting his ability to continue in service in which cases the person shall receive an honorable discharge from service (2) neglect or violation of any official duty (3) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony (4) inefficiency neglect intemperance disobedience of orders or conduct unbecoming an officer (5) intoxication while on duty (6) engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage A person so employed shall not be removed for religious racial or political reasons A written statement of any charges made against any person so employed shall be furnished to such person within five days after the same are filed with the commission

If for reasons of economy or other reasons it shall be deemed necessary by any township to reduce the number of paid employes of the police or fire force then such township shall apply the following procedure (a) if there are any employes eligible for retirement under the terms of any retirement or pension law then such reduction in numbers shall be made by retirement if the party to be retired is eligible for retirement (b) if the number of paid employes in the police or fire forces eligible to retirement is insufficient to effect the necessary reduction in numbers or if there are no persons eligible for retirement or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed to the respective force Such removal shall be accomplished by furloughing in numerical order commencing with the man last appointed until such reduction shall have been accomplished In the event the said police force shall again be increased the employes furloughed shall be reinstated in the order of their seniority in the service

Section 645 Hearings on Dismissals and Reduction If the person suspended removed or reduced in rank shall demand a hearing by the commission the demand shall be made to the commission Such person may make written answers to any charges filed against him not later than the day fixed for hearing The commission shall grant him a hearing which shall be held within a period of ten days from the filing of charges in writing unless continued by the commission for cause at the request of the township commissioners or the accused At any such hearing the person against whom the charges are made may be present in person and by counsel The township commissioners or the chief of police when the township commissioners are not in session may suspend any such person without pay pending the determination of the charges against him but in the event the commission fails to uphold the charges then the person sought to be suspended removed or demoted shall be reinstated with full pay for the period during which he was suspended removed or demoted and no charges shall be officially recorded against his record

A stenographic record of all testimony taken at such hearings shall be filed with and preserved by the commission which record shall be sealed and not be available for public inspection in the event the charges are dismissed

In the event the commission shall sustain the charges and order the suspension removal or reduction in rank the person suspended removed or reduced in rank shall have immediate right of appeal to the court of common pleas of the county and the case shall there be determined as the court deems proper No order of suspension made by the commission shall be for a longer period than one year Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and such additional proof or testimony as the parties concerned may desire to offer in evidence The decision of the court affirming or reversing the decision of the commission shall be final and the employe shall be suspended discharged demoted or reinstated in accordance with the order of the court

The township commissioners and the person sought to be suspended removed or demoted shall at all times have the right to employ counsel before the commission and upon appeal to the court of common pleas and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law

Section 646 Present Employes Exempted All appointments in the police or fire forces of townships including the chief of police or equivalent official upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion Provided however That this section shall not be construed to apply to persons employed temporarily in emergency cases

Section 647 Discrimination on Account of Political or Religious Affiliations No question in any form of application for examination or in any examination shall be so farmed as to elicit information concerning the political or religious opinions of any applicant nor shall inquiry be made concerning such opinion or affiliations and all disclosures thereof shall be discountenanced

No discrimination shall be exercised threatened or promised by any person against or in favor of any applicant or employe because of political or religious opinions or affiliations or race and no offer or promise of reward favor or benefit directly or indirectly shall be made to or received by any person for any act done or duty omitted or to be done under this subdivision of this article

Section 648 Penalty Any township commissioner who by his vote causes to be appointed any person to the

police force or as a fire apparatus operator contrary to the provisions of this subdivision or any township commissioner or member of the civil service commission who wilfully refuses to comply with or conform to the provisions of this subdivision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or suffer imprisonment not exceeding three months or both

Section 649 Salaries of Civil Service Commission The civil service commission of townships shall receive no compensation

Section 650 Police Force and Fire Apparatus Operators Defined Police force as used in this subdivision shall mean a police force organized and operating as prescribed by law the members of which devote their normal working hours to police duty or duty in connection with the bureau agencies and services connected with police protection work and who are paid a stated salary or compensation for such work by the township

Fire apparatus operators as used in this subdivision shall mean any person who operates fire apparatus and devotes his normal working hours to operating any piece of fire apparatus or other services connected with fire protection work and who is paid a stated salary or compensation for such work done by the township

Section 21 Section 701 702 703 and 704 of said act are hereby reenacted amended and revised to read as follows

Article VII

Township Commissioners

Section 701 Organization Failure to Organize The township commissioners shall organize on the first Monday of January of each even-numbered year They shall assemble for such purpose at their place of meeting at seven-thirty o'clock post meridian Until otherwise designated by ordinance the place of meeting shall be the oldest polling place in the township

The board shall organize by the election of one of their number as president and one as a vice-president who as long as they continue to be commissioners shall hold office until their successors are elected and qualified The president or in his absence the vice-president shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

If a majority of the commissioners shall not attend at the organization meeting those present may adjourn the meeting from day to day until a majority attend

If the township commissioners of any township shall fail to organize within ten days from the time prescribed by this section the court of quarter sessions upon the petition of ten [taxable inhabitants] registered electors verified by the affidavit of [five] one of the petitioners shall issue a rule upon the delinquent [or delinquents] commissioners to show cause why their seats should not be declared vacant The rule shall be returnable not less than five days from the time of its issue and after hearing the court may declare the seats of any delinquent vacant and appoint others in their stead to hold office [until a successor is elected for the unexpired terms at the next municipal election occurring at least sixty days thereafter] for the respective unexpired terms

Section 702 Monthly Meetings Quorum The board of township commissioners shall meet at least once a month at such time and such place as may be designated by ordinance A majority of the members of the board shall constitute a quorum

Section 703 Compensation Each township commissioner shall receive a salary of not more than two hundred dollars per year in townships having a population of less than four thousand not more than three hundred dollars per year in townships having a population of four thousand and more but less than ten thousand [and] not more than four hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than five hundred dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than six hundred dollars in townships having a population of twenty thousand or more Such salaries shall be payable quarterly as full compensation for the duties imposed by the provisions of this act

Section 704 Reports to [State Department of Highways] Auditors The township commissioners shall annually on or before the first day of February in [each year make a sworn statement to the State Department of Highways on blanks furnished to them by the said department of the whole amount of tax levied during the preceding year for road and bridge purposes and the total amount of taxes collected during the year for road and bridge purposes They shall specify in such report the amount expended for maintenance or repairs of roads and bridges for opening and building new roads and bridges and for macadamizing or otherwise permanently improving roads the number of miles of roads thus made and the total number of miles of township roads in the township Such report shall also contain such other matters and things pertaining to roads and bridges as the department may require] the year 1950 and on or before the first day in August in the year 1950 and annually thereafter furnish to the township auditors such accurate information concerning the construction reconstruction maintenance and repair of the streets and the purchase of equipment and machinery and road mileage as may be required to enable the auditors to make the annual township report hereinafter prescribed

Section 22 Sections 801 803 804 805 806 807 and 808 of said act are hereby reenacted revised and amended to read as follows

Article VIII

Township Treasurer

Section 801 Fidelity Bonds The treasurer of each township shall give a fidelity and not a surety bond to the Commonwealth in a sum to be prescribed by ordinance or resolution and at least equal to fifty per centum of the probable amount of the annual township tax Such bond shall be subscribed by sureties approved by the township commissioners or by a surety company or companies duly authorized to do business in this Commonwealth The bond given by the treasurer shall be conditioned on a just accounting for and paying over all moneys belonging to the township funds that may come into his hands as treasurer from taxation or otherwise for the payment over thereof only in the manner prescribed by law for the delivery to his successor in office of all papers books documents and other things held in right of his office for the payment to such successor of any balance in money remaining in his hands or charged against him in the settlement of his accounts and that as tax collector of township county poor institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The township treasurer and his sureties shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over to the proper taxing district or (2) set forth in schedules filed with or certified to the proper tax authorities or (3) returned to the county commissioners for sale of the real estate by the county treasurer or returned in accordance with the Real Estate Tax Sale Law approved July 7 1947 Pamphlet Laws 1368 or (4) in the case of occupation poll and per capita taxes [a record of those which remain uncollected is filed with the tax authority] accounted for by payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation that as tax collector he has compiled with section 20 of the Local Tax Collection Law approved May 25th 1945 P. L. 1050 The township

treasurer shall be required to give but one bond which shall include his duties as township treasurer and collector of township county school institution district and poor taxes and shall cover the full term of his office Should the township county school district institution district or poor district be of the opinion at any time that the bond given is not sufficient additional security may be required to be given at the expense of the taxing district requiring the same The treasurer shall not in any event be required to give bond or bonds aggregating an amount in excess of the [tax] taxes to be collected by him The bond or bonds given by the township treasurer shall be for the use of the township the county the institution district and the school district [and the poor district] Said bond shall be filed with the township commissioners

Section 803 Accounts to Be Kept by Treasurer Every township treasurer shall take charge of all township moneys from all sources and promptly deposit the same in a bank banking institution or trust company in the name of the township and keep distinct accounts of all sums received from taxes and other sources which accounts shall at all times be open to the inspection of the commissioners and township auditor or controller He shall annually state his accounts and lay the same together with the books and the vouchers before the township [auditor] auditors or controller for audit

Section 804 Payment of Moneys on Orders The township treasurer shall pay out the moneys coming into his hands only on orders numbered in the order of their issue signed by the president or vice president and attested by the secretary or assistant secretary of the board and designating the appropriation out of which the orders shall be paid The signature of the president or vice-president may be a facsimile signature Any township treasurer who shall pay out moneys in his hands except upon such orders or shall pay out moneys in excess of the appropriation shall be allowed no credit in the settlement of his accounts for the sum or sums so paid out nor shall he have any claim or right of action against the township therefor

Section 805 Powers as Tax Collector The township treasurer by virtue of his office as treasurer shall be tax collector He shall collect all county, institution district township school [poor] and other taxes within such township levied by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in this act have all the powers perform all the duties and be subject to all the obligations and responsibilities as are now by law vested in conferred upon or imposed upon collectors of the several classes of taxes hereinbefore mentioned

It is the purpose and intent of this section that no local taxes shall be collected in any township except by the treasurer of the township

Section 806 Oath [Bond for County Taxes Et Cetera] The treasurer of every township shall before he enters upon the duties of his office as collector of taxes for the county take and subscribe an oath of office and file the same in the office of the court of quarter sessions [and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assessed in the county duplicates with at least two sufficient sureties or one trust or bonding company The bond shall be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the treasurer shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of township or school taxes]

Section 807 Special Funds Penalty Whenever any moneys are collected in any township for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose other than that for which such moneys were collected Every such misapplication shall be a misdemeanor Upon conviction of such offense the treasurer shall be punished by a fine of not less than the amount so misapplied or by imprisonment for not less than three months and not more than one year

Section 808 Depositories of Township Funds Selection Bonds The board of commissioners shall from time to time designate by resolution a depository or depositories for township funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit obligations of the United States [municipal or county bonds to be approved by the board of commissioners] or the Commonwealth of Pennsylvania or any political subdivision thereof to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The [current] market value of deposit bonds shall be at all times at least equal to [the amount] one hundred and twenty per centum of the amount of township funds [then on deposit with such depository] to be secured Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposits and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred by law

Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 23 Sections 901 902 and 903 of said act are hereby reenacted revised and amended to read as follows

Article IX

Township Secretary

Section 901 Election of Secretary Salary The board of commissioners in townships shall elect a secretary who must be a qualified voter of the township and not a member of the board He shall act as secretary of the board shall be the official keeper of the minutes and shall perform such other duties as are prescribed by ordinance or resolution of the board He shall provide suitable books the cost of which shall be paid out of the township funds wherein he shall enter all matters of which he is required to keep a record His salary shall be fixed by ordinance or resolution

Section 902 Duties Penalty The secretary of a township shall keep a record of the appropriations made by the township commissioners and the amounts chargeable thereto He shall furnish to any person so requesting a statement showing the amount available for future charges against any appropriated fund Any secretary

who shall knowingly and wilfully furnish an incorrect statement shall [be guilty of a misdemeanor and] upon conviction thereof [shall] in a summary proceeding be sentenced to pay a fine of not more than [five] three hundred dollars and in default of the payment of such fine and costs of prosecution shall be imprisoned for thirty days

Section 903 Records Open to Inspection The minute book and other records and documents of every township shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor at any time during business hours

Section 24 Article X and sections 1001 to 1019 inclusive of said act are hereby reenacted revised and amended to read as follows

Article X

Auditors

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet [annually on the day following the day which is fixed by this act for the organization of the township commissioners and] on the Tuesday following the first Monday of January 1950 and on or before the fifteenth day of July of the year 1950 and of each year thereafter At each such meeting the auditors shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding temporary fiscal period or fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justice of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive six dollars ($6) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

Section 1002 Subpoenas Power to Administer Oaths Penalty The auditors of each township may issue subpoenas to obtain the attendance of the officers and persons whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner as any court of common pleas may in cases pending before them and may also compel the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be issued by a justice of the peace and be served and executed by a constable or any township auditor

The auditors of each township may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

Section 1003 Surcharges Auditors' Report Publication of Financial Statements The auditors shall complete their settlement and adjustment [within as short a time as possible and] for the fiscal year 1949 on or before the 15th day of March 1950 and for the temporary fiscal period ending June 30th 1950 and for each fiscal year thereafter prior to the first day of September succeeding the end of the fiscal period to the first day of September succeeding the end of the fiscal period or fiscal year They shall file copies thereof with the secretary of the township the clerk of the court of quarter sessions [and] the Department of Internal Affairs [not later than the fifteenth day of April] and the Department of Highways not later than the fifteenth day of April in the year 1950 and for the temporary fiscal period ending June 30th 1950 and for each fiscal year thereafter on or before the first day of September succeeding the end of the fiscal period or fiscal year Any officer or person whose act or neglect has contributed to the financial loss of the township shall be surcharged by the auditors with the amount of such loss They shall within ten days after the completion of their report publish by advertisement in at least one newspaper of general circulation published in the township or if no newspaper is published therein then in one newspaper circulating generally in the township a concise financial statement setting forth the balance in the treasury at the beginning of the preceding fiscal period or year all revenues received during the fiscal period or year by major classifications all expenditures made during the fiscal period or year by major functions and the current resources and liabilities of the township at the end of the fiscal period or year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships of the first class to publish an annual statement of indebtedness The auditor's report and financial statement shall be made on uniform forms prepared and furnished as provided in section 1701A of this act The auditor's report and financial statement shall be signed by all of the auditors and the auditor's report shall be duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file an auditor's report shall upon conviction thereof in a summary proceeding [brought at the instance of the Department of Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond the time fixed herein for the filing of such report and costs All fines recovered shall be for the use of the Commonwealth

Section 1004 Canceling Orders The auditors shall cancel all orders and vouchers presented to them which they find have been paid by writing the word "audited" on the face thereof

Section 1005 Penalty for Failure to Perform Duty Any auditor neglecting or refusing to comply with the preceding provisions of this article shall pay a penalty of one hundred dollars to be recovered by suit instituted in the name of the township upon the complaint of any taxpayer in the same manner as debts of like amount are recoverable Any penalty recovered shall be paid into the treasury of the township

Section 1006 Employment and Compensation of Attorney The auditors in case of a disagreement with any official or board of officials whose accounts they are required to audit may employ an attorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of officials The compensation for such attorney shall be fixed by the auditors and shall not exceed [the sum of ten dollars per day nor total in any case more than] thirty dollars unless [when] an appeal is taken to the courts in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the general fund

[the settlement of which is in dispute] by a warrant drawn by the auditors upon the township treasurer [of such fund immediately upon the final settlement of the account]

Section 1007 Balances Due to Be Entered as Judgments Any balance in any report of the auditors against any officer of the township shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge [and the amount of any balance and of any express surcharge shall unless appealed from within thirty days as hereinafter provided be entered by the prothonotary as a judgment against such officer and in favor of the township] Unless an appeal is taken as hereinafter provided the auditors shall direct the clerk of the court of quarter sessions to certify the amount of every such balance or surcharge [contained in any such report] to the court of common pleas [for entry thereof by] and the prothonotary shall enter the same as a judgment against such officer and in favor of the township

Section 1008 Collection of Surcharges [by Taxpayers] The auditors or any registered elector or taxpayer of the township may enforce the collection [thereof] of a judgment entered for a surcharge for the benefit of the township by any appropriate action or execution upon filing in the court of common pleas a bond with one or more sureties (in the case [only] of a registered elector or taxpayer) conditioned to indemnify the township from all costs which may accrue in the proceedings undertaken by such registered elector or taxpayer subject however to all rights of appeal from the report of the auditors granted by this article

Section 1009 Appeals from Report The township or any registered elector or taxpayer thereof on its behalf or any officer or person whose account is settled or audited by the township auditors may appeal from any settlement or audit to the court of common pleas within forty-five days after the settlement has been filed in the court of quarter sessions

Section 1010 Appeal Bond No appeal by a registered elector or taxpayer or officer shall be allowed unless the [applicant] appellant shall enter into a recognizance to prosecute the same with effect and to pay all cost accruing thereon in case if the appellant be registered elector or taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an accounting officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

Section 1011 Intervention by Taxpayers Whenever an appal has been taken from the report of the auditors by the township or by any person charged in such report with any sum of money any registered elector or taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No registered elector or taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient securities conditioned to indemnify the township against all costs accruing by reason of such intervention

Section 1012 Consolidation of Appeals When more than one appeal from the report of the auditors is taken whether by the township an officer or officers thereof or by a registered elector or taxpayer the court may on its own motion and shall upon petition of any party interested direct that the several appeals [to] be [disposed of in a single proceeding] consolidated

Section 1013 Testimony and Argument Any person interested may order the appeal upon the argument list and evidence may be taken [before any person authorized to administer oaths upon rule for that purpose served upon the opposite party] by disposition

Section 1014 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 1015 Prima Facie Evidence The accounts of the officer [or officers] in question may be investigated denovo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

Section 1016 Judgment After hearing the court shall file its findings of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by [the party prevailing] any auditor officer registered elector or taxpayer of the township

Section 1017 Costs In all cases of appeal from the report or audit of the township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

Section 1018 Appeals Any person interested may except to the ruling of the courts and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 1019 Counsel Fees When an appeal is taken from the township auditor's report or settlement of the accounts of any public officer in accordance with the laws relating thereto and such appeal results favorably to the appellants in such a manner that money is recovered from any township the court hearing such appeal shall make an order to pay a counsel fee [which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered]

[This section shall apply to all such cases now pending or hereafter brought in any court of this Commonwealth]

Section 25 Sections 1101 1102 1103 1104 1105 1106 1107 1108 and 1109 of said act are hereby reenacted amended and revised to read as follows

Article XI

Controller

Section 1101 Oath and Bond of Controller The township controller where such office has been created shall before entering upon the duties of his office take and subscribe the oath prescribed by this act for township officers and shall give bond to the township with two or more sureties or with a surety company to be approved by the board of commissioners in the sum of twenty thousand dollars conditioned for the faithful discharge of his duties and to adequately protect the township from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the township

The township controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof and the responsibility of the sureties before the court of common pleas

Section 1102 Salary of Controller The salary of the controller shall be fixed by ordinance In townships having a population of fifty thousand or more the salary of the controller shall not exceed [four] five thousand dollars In townships having a population of forty thousand or more but less than fifty thousand inhabitants the salary of the controller shall not exceed [thirty-six] forty-five hundred dollars In townships having a population of thirty thousand or more but less than forty thousand inhabitants the salary of the controller shall not exceed [twenty-four hundred] three thousand dollars In townships having a population of twenty thousand or more but less than thirty thousand inhabitants the salary of the controller shall not exceed one thousand [five hundred] eight hundred seventy-five dollars In townships having a population of fifteen thousand or more but less than twenty thousand inhabitants the salary of the controller shall not exceed [twelve] fifteen hundred dollars In townships having a population of ten thousand or more but less than fifteen thousand inhabitants the salary of the controller shall not exceed [nine hundred] eleven hundred twenty-five dollars In townships having a population of less than ten thousand and not less than

five thousand the salary of the controller shall not exceed [seven hundred] one thousand and fifty dollars In townships having a population of less than five thousand and not less than twenty-five hundred the salary of the controller shall not exceed [five hundred] six hundred twenty-five dollars In townships having a population of less than two thousand five hundred the salary of the controller shall not exceed three hundred seventy-five dollars

Section 1103 General Powers and Duties of Controller May Require Atteandance of Witnesses Penalty The township controller shall superintend the fiscal affairs of the township He shall examine audit and settle all accounts whatsoever in which the township is concerned either as debtor or creditor where provisions for the settlement thereof are made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the board of commissioners the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual or fiscal period report of his audit and make and publish the annual or fiscal period financial [report] statement in the same form and manner and at the same time as in this act required of the auditors

The township controller shall have supervision and control of the accounts of all departments bureaus and officers of the township authorized to collect receive or disburse the public moneys or who are charged with the management or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the township in their hands or under their control [and] showing the amount of cash on hand and the amount deposited in banks and banking institutions together with the names of such institutions He shall have power to examine every such account of a township officer in any bank or banking institution to verify the accuracy of the statement of such township department bureau or officer and it shall be the duty of every such bank and banking institution its officers and agents to furnish full information to the controller in relation to such account No banker or banking institution its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any such account [he] He shall immediately upon the discovery of any default irregularity or delinquency report the same to the board of commissioners He shall also audit and report upon the account of any such officer upon the death resignation removal or exporation of the term of the said officer

In the making of any audit or settlement and in the authentication of any account or claim or demand against the township the controller of any township shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law to [county and] township auditors All persons guilty of swearing or affirming falsely before him shall be liable to the penalty for perjury

Section 1104 Controller to Countersign Warrants The township controller shall countersign all warrants upon the township treasurer the form thereof to be prescribed by the board of commissioners but no warrant shall be countersigned unless there is sufficient unencumbered money in the respective appropriation item to pay the same Whenever a warrant on the treasurer shall be presented to the controller to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or services for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 1105 Controller to Prevent Appropriation Over Drafts The township controller shall not permit any appropriation made by the board of township commissioners to be overdrawn Whenever an appropriation is exhausted the object of which is not complete he shall immediately report the fact to the board of commissioners and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they are drawn

Section 1106 Amount of Contracts to Be Charged Against Appropriations Every contract involving appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the township controller on the contract before it shall take effect as a contract and the payment required by such contract shall be made from the fund appropriated therefore If the controller shall certify any contract in excess of the appropriation made therefor the township shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the controller to certify contracts for the payments of which sufficient appropriations have been made

Section 1107 Management and Improvement of Township Finances The township controller shall as after as he may deem expedient or the board of commissioners shall direct suggest plans to the board of commissioners for the management and improvement of the township finances

Section 1108 Books to Be Kept by Controller The township controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the township all trusts in the care of the same all debts due and owing the township all receipts and expenditures of the various departments of the township government and all appropriations made by the board of commissioners and the sums under the same respectively

Section 1109 Appeals from Controller's Report Bond Procedure on Appeal [It shall be lawful for the township or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit by the controller as filed in the office of the clerk of the court to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office The appeal shall be filed in the same number and term in which the report has been filed If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient securities conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained

In case any appeal shall be taken as aforesaid the same may be placed upon the argument list of said court by either party Testimony and evidence as to the accounts of any such officer may be taken before said court or by depositions as the court may direct in the course of which the said accounts may be investigated de novo and the burden shall be upon each officer whose accounts are involved in the appeal of establishing by evidence from original sources his right to credits claimed by him but the opposing party in such appeal may use any facts figures or findings of the report of audit as prima facie evidence against any officer] Appeals may be taken from the settlement and audit of the controller as shown in the controller's report to the court of common pleas of the county by the same persons in the same manner within the same time subject to the same conditions and procedure and with like effect in every re-

spect as in this act provided in the cases of appeals from the settlement and audit of the auditors as shown in their report

Section 26 That sections 1110 1111 and 1112 of said act are hereby repealed

Section 27 Section 1113 of said act is hereby renumbered so as to be section 1110 and is reenacted revised and amended to read as follows

Section [1113] 1110 Controller to Retain Books Documents Et Cetera Pending Appeals Every township controller shall retain in his possession during the [thirty] forty-five days' period elapsing between the date of filing his report and the expiration of the time for filing the appeal therefrom all books documents vouchers checks and other papers which have been procured before him in the course of his audit of the accounts of township officers and if any appeal shall be taken shall continue to hold the same for production in the proceeding to determine the appeal

Section 28 Article XII and sections 1201 1202 1203 and 1204 of said act are hereby reenacted revised and amended to read as follows

Article XII

Township Solicitor

Section 1201 Election Vacancies The board of commissioners [on the first Monday of January] at the commencement of the fiscal year in any even-numbered year or as soon thereafter as practicable may elect by a vote of a majority of the members one person learned in the law who shall be styled the township solicitor and who shall serve for the term of two years [from the first Monday of January of the even-numbered year in or succeeding which he was elected] and until his successor qualifies The compensation of the solicitor shall be fixed by the board of commissioners [and shall not exceed five thousand dollars per annum] Vacancies in the office of township solicitor shall be filled by the board of commissioners for the unexpired term

Section 1202 Bond The township solicitor shall if the board of commissioners so requires give a bond to the township with two or more sureties or one [trust or] bonding company to be approved by the board of commissioners in such sum as it shall be ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1203 Solicitor to Have Control of Law Matters The law matters of the township shall be under the superintendence [discretion] direction and control of the township solicitor [and no] No official or official body of the township except as herein other provided shall employ an additional counsel without the assent or ratification of the board of commissioners

Section 1204 Duties of Solicitor The township solicitor shall prepare such bonds obligations contracts leases conveyances and assurances to which the township or any department thereof may be a party as may be directed by ordinance or resolution he shall commence and prosecute all actions brought by the township for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the township or any officer thereof wherein or whereby any of the estates rights privileges trust ordinances or accounts of the township may be brought in question before any court in the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the board of commissioners or by any ordinance or resolution He shall whenever required furnish the board of commissioners and the committees thereof with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 29 Article XIII and sections 1301 1302 1303 1304 1305 1306 1310 1311 1312 1314 and 1315 of said act are hereby reenacted revised and amended to read as follows

Article XIII

Township Engineer

(a) General Provisions

Section 1301 Election of Township Engineer Term Filling of Vacancies The board of commissioners [on the first Monday of January] at the commencement of the fiscal year in any even-numbered year or as soon thereafter as may be practicable may elect by a vote of a majority of the members one person as township engineer who shall be a registered civil engineer He shall serve for a term of two years [from the first Monday of January of the even-numbered year in or succeeding which he was elected] and until his successor qualifies The board of commissioners shall fix the compensation of the engineer vacancies in the office of the township engineer shall be filled by the board of commissioners for the unexpired term

Section 1302 Bond The township engineer shall if the board of commissioners so requires give a bond to the township with two or more sureties or one [trust or] bonding company to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1303 Control of Engineering Matters The township engineer shall have the superintendence direction and control of the engineering matters of the township [and no] No department or officer of the township shall employ or retain any additional engineer except with the consent and ratification of the board of commissioners

Section 1304 Duties Preparation of Plans The township engineer shall perform such duties as the board of commissioners shall prescribe as to the construction reconstruction maintenance and repair of all streets [roads pavements sewers] bridges culverts and other engineering work He shall prepare plans specifications and estimates of all such work undertaken by such township and shall whenever required furnish the board of commissioners and the committees thereof with reports information or estimates on any township engineering work or on questions submitted by any of them in their official capacity

Section 1305 Certificate of Commencement and of Completion of Municipal Improvements The township engineer shall immediately after the completion of any municipal improvement the cost of which in whole or in part is to be paid by the owner of the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the township secretary who shall enter the said day or time of completion of the work in a book to be kept by him for said purpose [and the] The said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the name of the completion of the whole contract for the improvement He shall also furnish to the township secretary a certificate showing the time at which any such particular improvement was commenced and such certificate shall be conclusive evidence of the time when the said improvement was begun [and an] An entry of such date shall be made by said secretary in the book aforesaid

Section 1306 Surveys The township engineer shall have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such township

(b) Real Estate Registry

Section 1310 Provisions for Registration of Real Estate For the purpose of procuring accurate information in reference to the ownership of all real estate the board of township commissioners may provide by ordinance for the registry thereof in the manner following

Section 1311 Preparation of Books Plans and Maps The township engineer of any township in which such registry shall be established [as aforesaid] shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be so prepared as to show the house number if any the name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title For such purpose the township engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor He may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of such books maps or plans

Section 1312 Preservation of Records The said books maps and plans shall be carefully preserved in the office of the engineer of said township and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the township limits with the succesive [transmissions] transfers of title from the date of the commencement of such plans but nothing therein or in this article shall invalidate any municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 1313 Certified Copies of Entries Admissible as Evidence Certified copies under the hand of the said engineer of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the purpose of the township as may be fixed by ordinance

Section 1314 Duties Imposed on Owners of Real Estate When Registry Established Penalty All owners of unregistered real estate within the township limits within one month from the date of the approval of the ordinance establishing such registry and every subsequent purchaser and every devisee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title shall furnish to the said engineer at his office descriptions of their respective properties upon blanks furnished by the township and at the same time present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglected or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the township as penalties for the violation of township ordinances are recoverable Provided however That such registration may within said thirty day period be also effected by the Recorder of Deeds of the county in accordance with existing law

Section 1315 Registry of Properties Sold at Judicial Sales Duty of County Officers The sheriffs of the respective counties in which such townships are situated shall present for registry the deeds of all properties within the township limits sold by them at judicial sales whether by execution or in partition or otherwise and the prothonotaries and recorders of deeds of such counties shall not admit for record any deeds of any property in such township bearing a date subsequent to the approval of an ordinance providing for the establishment of such registry unless the same shall first have been duly stamped as hereinbefore provided

Section 30 Article XIV and section 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 and 1414 of said act are hereby reenacted revised and amended and section 1415 is added to said article as follows

Article XIV

Police

Section 1401 Appointment Compensation and Training of Policemen The board of township commissioners shall subject to the civil service provisions of this act appoint and fix [by ordinance or resolution] the number rank and compensation of the members of the township police force No policeman shall at the same time hold any public office other than constable and health officer The board of commissioners shall prescribe all necessary rules and regulations for the organization of the police force The board may assign the chief of police or any other member of the force to undergo a course of training at any training school for policemen established and made available by the State or Federal Government and may provide for the payment by the township of his expenses while in attendance in such training school

Section 1402 Chief of police and Other Officers The board of commissioners may designate the superintendent or the chief of police and other officers who shall serve until their successors are duty designated and qualified

Section 1403 Powers of Policemen Policemen shall be ex-officio constables of the township and may without warrant and on view arrest and commit for hearing any and all persons guilty of a breach of peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of the township for the violation of which a fine or penalty is imposed

Section 1404 Service of Process Fees Policemen shall have authority to serve and execute all criminal process for the violation of the township ordinances which may be issued by any justice of the peace of the township and shall charge the same fees and costs as pertain by law to constables for similar services but such fees and costs shall be paid to the township treasurer for the use of the township

Section 1405 Supervision of Police The Chief of police and policemen shall obey the orders of the board of township commissioners or such other person or committee as may be designated by ordinance or resolution of the board for such purposes

Section 1406 Keepers to Receive Prisoners The keepers of jails lockups and station-houses shall receive all persons arrested by policemen for the commission of any offense against the laws of the Commonwealth or the ordinances of the township

Section 1407 Badge The police when on duty shall wear a badge or shield with the words "Township Police" and the name of the township inscribed thereon

Section 1408 Not to Receive Fees Townships employing policemen shall pay to all such policemen a fixed or stipulated salary It shall not be lawful for any such policemen to charge or accept any fee or other compensation in addition to his salary for any service rendered or performed by him of any kind or nature whatsoever pertaining to his office or duties as a policeman except public rewards and the expenses incurred in the discharge of his duties

Section 1409 Establishment of Police Pension Fund Management Townships may by ordinance establish a police pension fund to be maintained by an equal percentage charge against each member of the police force not exceeding annually four per centum of the pay of such member The fund shall be under the direction of the township commissioners or such committee as they may designate and shall be applied under such regulations as the commissioners may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 1410 Minimum Service for Retirement The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years and an age limit after which members of the force may be retired from active duty and may be entitled to benefits of such fund Policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

Section 1411 Retirement Allowance The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 1412 General Funds of Township not Liable Payments made for retirement allowances shall be a charge on no other fund in the treasury of the township or under its control other than the police pension fund

Section 1413 Township Appropriations Gifts Management Any township may make contributions to the police pension fund and may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the township commissioners shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe Any township may also make contributions to any incorporated police pension fund extending retirement benefits to police officers of the township subject to such conditions as the township commissioners may impose

Section 1414 Reasons for Denying Retirement Allowance No person participating in such police pension fund established by ordinance and becoming entitled to receive a benefit therefrom shall be deprived of his rights except for failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1415 Annuity Contracts in Lieu of Police Pension Fund Townships may provide annuity contracts for the purpose of paying pensions or annuities to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families such as may be injured or killed in service

Section 31 Article XV and Sections 1501 and 1502 of said act and the various existing clauses of said section are hereby reenacted revised and amended to read as follows

Article XV

Corporate Powers

Section 1501 Suits Property Townships of the first class may I Sue and be sued [by the name of the Township of]

II [Acquire] Purchase acquire by gift or otherwise hold lease let and convey such real and personal [estate as the purpose of the township shall require] property as shall be deemed to be to the best interest of the township Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes as township rates and levies are authorized by law to be laid for

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

I Ordinances and Resolutions To adopt resolutions and ordinances prescribing the manner in which powers of the township shall be carried out and generally regulating the affairs of the township All such ordinances unless otherwise provided by law shall be published at least once in one newspaper of general circulation in the township Such ordinance shall not become effective until ten days after the publication aforesaid In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the commissioners may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined In the adoption of any ordinance setting up a building code plumbing code or other code complete in itself for the regulation of any trade occupation or line of activity or undertaking it shall not be required (this or any other law to the contrary notwithstanding) in publishing such ordinance to publish such code in full but shall be sufficient compliance with this act in such publication to set forth briefly the substance of such proposed code and to give notice of the place where such code is on file and may be eximined

Complaint as to the legality of any ordinance or resolution may be made to the court of quarter sessions upon entering into bond with sufficient security to be approved by the court to prosecute the same with effect and for the payment of costs by any person aggrieved within thirty days after any ordinance or resolution takes effect The determination and the order of the court thereon shall be conclusive In cases of the laying out of streets over private property the court shall have jurisdiction to review the propriety as well as the legality of the ordinance

II Fines for Violation of Ordinances To prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of township ordinances which fines and penalties may be collected by suit brought in the name of the township before any justice of the peace in like manner as debts of like amount may be sued for by existing laws and to remit such fines and penalties

III Officers Positions and Departments To create any office position or department which may be deemed necessary for the good government and interests of the township to fix the compensation of persons appointed thereto and to employ the township assessor and any assistant township assessor to perform work for the township in connection with the assessment and valuation of property and occupations for taxation purposes or to perform other work when not engaged for the county and to fix their compensation payable by the township

IV Township Manager To create by ordinance the office of township manager and in like manner to abolish the same

The powers duties term of office and compensation of the township manager shall be regulated by ordinance The commissioners may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the township manager He shall if required by the township commissioners give a bond to the township with one or more sureties or one bonding company to be approved by the commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faihtful performance of his duties

V Police Force To establish equip and maintain a police force and to define the duties of the same

VI Lockups and Commitments To provide for the erection or purchase of lockups in the township for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested by the police officers until the persons so arrested can be taken before a justice of the peace for hearing but no person shall be detained therein for a longer time than twenty-four hours (Sunday excepted) except upon order of a justice of the peace legally authorized who may commit any such person for further hearing

VII Committing Magistrate To designate from time to time one of the justices of the peace to sit at the police station or town hall as a committing magistrate

VIII Vagrants To arrest and confine and to set to work on the [roads] streets or elsewhere all vagrants found in the township

IX Disorderly Practices To define and prohibit disorderly practices within the limits of the township

X Public Safety To take all needful means for securing the safety of persons or property within the township

XI Road Implements To purchase tools implements machinery timber and materials necessary for the making paving and repairing of streets [highways] and sidewalks and other public work to employ sufficient number of laborers to make and repair the same and to lease or lend such tools implements and machinery to other townships boroughs or cities

XII Lights To establish lights along the streets and highways [including State and county highways] wherever deemed expedient [and on and along State highways and county highways running through such townships] No such lights shall be established upon State highways until a permit has first been obtained from the State Department of Highways or upon county highways until a permit has first been obtained from the county commissioners

XIII Lighting Assessments On the petition of the owners of a majority of the lineal feet frontage along any street or highway or portion thereof in any village within the township to enter into contracts with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village wit electric light gas light or other illuminant

The township commissioners shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such assessments collected for lighting the streets and highways in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually

[XIII.I] Ornamental Standards for Street Lighting On the petition of the owners of seventy-five per cent of the lineal feet frontage along any street or highway or portion thereof in any village within the township to provide for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor along such street or highway or the portion thereof affected and to enter into contracts with electric gas or other lighting companies to furnish and install such standards with the fittings and wiring therefor

The township commissioners shall assess or cause to be assessed the cost and expense of the furnishing and installation of said standards fittings and underground wiring by an equal assessment on all property benefited by the furnishing and installation of such standards fittings and underground wiring in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands All such assessments for tthe cost of furnishing and installation of such standards fittings and underground wiring shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall received and shall keep all such assessments collected in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually until all of such assessments are paid in full

XIV Water Supplies To enter into contract with any person or corporation to supply water for fire protection and other purposes for a period not exceeding twenty years No such contract shall be exclusive as against the right of any other water company nor interfere with the right of such township to erect maintain and operate its own waterworks

XV Fire and Water Districts Bond Issues and Taxes To create by ordinance fire and water districts in any portion or portions of townships when in their opinion the same is necessary for the safety and convenience of the inhabitants of said township to issue bonds restricted to the districts so created for the purpose of procuring and maintaining the necessary supply of water to said district and to levy such special tax restricted to said district as may be necessary to redeem any bonds so issued In lieu of the foregoing provisions relating to the issue of bonds the township commissioners may charge for any such water supply by an assessment of a special water or fire tax on all surface properties located in the water or fire district which tax shall be based on the assessment for county purposes as established for gen-

eral taxation Such tax may levied for a single year or for a term of years as the township commissioners may determine but in the case of fire districts shall not exceed two mills per annum and shall be collected in the same manner as other taxes Provided also That in lieu of the foregoing provisions that in all cases where said township shall have established a water system and shall construct main water lines in said township the board of township commissioners may charge the cost of construction of any municipal water lines or lateral lines upon any streets [alleys and thoroughfares] or highways adjacent to main lines or such portion of the cost of construction as the board may deem proper upon the properties benefited or accommodated thereby The ordinance providing for such charge shall be adopted by the board within six months from date of the final completion of such system of water lines Said charges shall be assessed and collected in the manner provided in this act for the assessment and collection of charges for the construction of sewers

XVI Fire Regulations To make regulations within the township or within such limits as may be deemed proper relative to the cause and management of fire and the prevention thereof to [take measures for the extinguishment of fires either by making annual appropriations towards the maintenance of fire companies or in such other manner as said board of commissioners may deem proper] purchase or contribute to the purchase of fire engines and fire apparatus for the use of the township and to appropriate money to fire companies for the operation and maintenance thereof and for the construction repair and maintenance of fire company houses to ordain rules and regulations for the government of such fire companies and their officers and to regulate the method to be followed in the extinguishment of fires [to purchase and maintain apparatus for the extinguishment of fires and to make rules and regulations for the management of same]

XVII Fire Houses To provide and maintain suitable places for the housing of engines hose carts and other apparatus for the extinguishment of fire No such building shall be erected or maintained without obtaining the assent of the electors thereof expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal elections [At such election the judges inspectors and clerks shall receive ballots from the electors which shall be prepared in the manner prescribed by the general election law In receiving and counting and in making returns of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating municipal elections and the vote shall be counted by the court as is now provided by laws for municipal elections The constables of the township by direction of the board of township commissioners shall issue proclamation ten days prior to date of the municipal election stating that the qualified electors will vote "For or against a fire-engine house"]

XVIII Building Regulations To prohibit or regulate the erection of wooden buildings in certain parts of the township and make regulations for the construction of new buildings and the alteration and repair of old ones and to require that before the work begins municipal approval of the plans and specifications therefor be secured to classify buildings or parts of buildings according to the use to be made of them to specify the mode of construction of such different classes of buildings and to require that before any use or occupancy be changed from any classification to a different classification as to which more stringent regulations are prescribed under the provisions of any ordinance relating thereto municipal approval of the plans and specifications therefor be secured

XIX Building Sanitation Regulations In addition to other remedies provided by law and in order to promote the public health safety morals and the general welfare to enact and enforce suitable ordinances to govern and regulate the construction alteration repairs occupation maintenance sanitation lighting ventilation water supply toilet facilities drainage use and inspection of all buildings or parts of buildings constructed erected altered designed or used in whole or in part for human habitation and of the sanitation and inspection of land appurtenant thereto In case any building or structure is constructed reconstructed altered repaired converted or maintained or any building or land is used in violation of any ordinance enacted under authority conferred hereby the [corporate authorities of the township] board of township commissioners in addition to penalties provided by ordinances enacted [herewith] hereunder may institute appropriate actions or proceedings at law or in equity to prevent and restrain such unlawful construction reconstruction lateration repairs conversion maintenance or use and to restrain correct or abate such violation and to prevent the occupancy of said building or structure The ordinances enacted pursuant to this clause shall not be inconsistent with the provisions of any statute governing the same matter but all regulations prescribed by such ordinances which are additional or supplementary to the statute law and not inconsistent therewith or enacted for the purpose of carrying into effect the provisions of the statute law shall be valid and binding Such ordinances may adopt any standard building code published and printed in book form covering any or all of the above items without incorporating such building code in the ordinance or any township may enact such building code as its ordinance authorized under the provisions of this clause In either event such building code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Provided That notice of the adoption of such standard building code as the building ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Labor and Industry and a reference to the place or places within the township where copies of the building code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such building code

XX Building Inspectors To provide for the inspection of the construction and repair of buildings including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of noncombustible material and fireproof roofs shall be erected or substantially reconstructed or removed thereinto to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes herein specified is declared to be a public nuisance and abatable as such

XXI Building Lines To establish by ordinance and maintain uniform building lines upon any or all public streets [roads] or highways [lanes and alleys] of the township

XXII Numbering Buildings To provide for and regulate the naming of streets [courts and public squares] and highways and to require and regulate the numbering of buildings

XXIII Insurance To make contracts with any fire insurance company association or exchange including mutual companies duly authorized by law to transact insurance business in the Commonwealth insuring any building or property of the township to make contracts with any insurance company insuring any public liability of the township [to make contracts with any insurer for workmen's compensation accident and health retirement and group insurance for the benefit of its employes who

may be required to contribute thereto including volunteer firemen killed or injured while going to or returning from or attending fires within the township or territory adjacent thereto and to expend public funds for all of these purposes and to make donations to funds for pensions and retirement allowances for the benefit of its employes] to appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to or returning or attending fires to make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring township employes or any class or classes thereof under a policy or policies of insurance covering workmen's compensation life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the township treasury for such purposes

XXIV Markets Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale to provide and enforce regulations for markets and market houses whether for individual use or for sale or resale and to acquire and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets or sidewalks may be temporarily used as specified by the township commissioners to contract with any person firm or corporation for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the board of commissioners may prescribe to provide for the payment of the cost and expense of providing markets and market houses either in whole or in part from township funds and to levy and collect a license tax from every person who may be authorized to occupy any portion of said market houses or places

XXV Milk Inspection To provide for the inspection of milk and milk products and to make regulations concerning the character and kind of milk and milk products which may be sold

XXVI Nuisances To prohibit and remove any obstruction or nuisance in the streets and highways of the township to make regulations respecting pig pens slaughter houses manure pits drains dumps cesspools and similar conditions and to prohibit and remove any noxious or offensive manufacture art or business or dangerous structure or weeds or any other nuisance whatsoever on public or private grounds prejudicial to the public health or safety or to require the removal of the same by the owner or occupier of such grounds in default of which the township may cause the same to be done and collect the cost thereof together with a penalty of [twenty] ten per centum of such cost in the manner provided by law for the collection of municipal claims or by action of assumpsit without the filing of a claim or may seek relief by bill in equity

XXVII Garbage and Rubbish To make regulations relative to the accumulation of manure compost and the like to prohibit accumulations of garbage and rubbish upon private properties including the imposition and collection of reasonable fees and charges for the collection and removal thereof and to prescribe fines and penalties for the violation of such regulations and to provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof Any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the cost and expense thereof either in whole or part out of the funds of the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material

XXVIII Inflammable and Explosive Articles To prohibit the manufacture sale or [exposure of fireworks and other] storage of inflammable and explosive articles to prescribe the quantities of inflammable and explosive articles that may be kept in any place and to prescribe such other safeguards as may be deemed necessary

XXIX Smoke Regulations To regulate the emission of smoke from chimneys smokestacks and other sources except locomotive smokestacks

XXX Animals To prohibit or regulate the running at large of [animals] dogs and in the enforcement of such regulations to direct the killing of dogs or their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the township to prohibit and regulate the running at large of other animals and to authorize their seizure and detention including reasonable charges therefor and to provide for their sale for the benefit of the township

XXXI Amusements To regulate license and [prohibit shows circuses sports and amusements of all sorts] fix the time of opening and closing of or to prohibit theatrical exhibitions amusements and dances at which an admission or other fee is charged to regulate license and fix the time of opening and closing pool-rooms billiard-rooms shooting galleries skating rinks and bowling alleys and to license regulate or prohibit circuses

XXXII Party Walls and Fence Regulations To make regulations respecting foundations party walls and partition fences and to prescribe reasonable fees for the services of its officers and agents in the adjustment of party walls partition fences and the like and to enforce payment of the same

XXXIII Watering Troughs To erect watering troughs along the streets or highways [at an expense not exceeding twenty dollars each] and to keep the same in repair

XXXIV Motor Ambulances To acquire and to operate and maintain a motor ambulance for the purposes of conveying sick and injured persons of such [municipality] township and the vicinity to and from hospitals and for such purposes to appropriate and expend moneys of the township or to appropriate money annually towards a non-profit community ambulance service

XXXV Display of Flags To display the flag of the United States of the Commonwealth of Pennsylvania and of any county city borough or township on the public buildings or any property of the township

XXXVI Memorial Day Appropriations To appropriate moneys for the expenses of Memorial Day services

XXXVII Care of Memorials To maintain and keep in good order and repair at the expense of the township and it shall be their duty so to do any soldiers' monument gun or carriage or other similar memorial when there is not in existence any person body or organization to care for and maintain the same and when such memorials were not erected by the government of the United States the Commonwealth of Pennsylvania any other state or by the commissioners of any county and to receive from persons or organizations funds for such purposes

XXXVIII Soldiers' Cemeteries To purchase plots of ground in any cemetery or burial ground for the interment of such deceased service men who shall hereafter die within such township or shall die beyond such township and shall have a legal residence within such township at the time of their death and whose bodies are entitled to be buried by the county under the provisions of existing laws Such plots of ground shall be paid for out of the treasury of such township

XXXIX Appropriations to Civic Associations To annually appropriate a sum not exceeding two hundred dollars for the support of any voluntary association composed of electors of the several townships within such county or any of them which association is formed for the study and investigation of the welfare economics management and government of townships and for the

protection and safeguarding of the rights and franchises of townships and for the purpose of recommending legislation beneficial to townships or any one or more of such purposes

XL Armory Buildings To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth of Pennsylvania for the purpose of assisting the Armory Board of the Commonwealth in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory and to do all things necessary to accomplish the purposes of this clause

XLI Land for Armories To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such right however shall not be exercised as to any street or highway or wharf but all other public easements and property may be appropriated and used for the purpose herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding

XLII Land for Armory Purposes To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by this act for the condemnation of lands The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner

XLIII Junk Dealers Pawnbrokers Auctions [Etc] To regulate and license junk dealers pawnbrokers hucksters peddlers vendors and public auctions and auctioneers and to regulate the establishment and maintenance of junk yards salvage yards and other places used and maintained for the collection storage and disposal of used and second-hand goods and materials

XLIV [Fire Prevention To take measures for the prevention] [of fires by inspecting regulating and abating fire hazards] Health and Cleanliness Regulations To make such regulations as may be deemed necessary for the health safety morals general welfare cleanliness beauty convenience and comfort of the township and the inhabitants thereof

XLV Comfort and Waiting Stations and Drinking Fountains To acquire property for the purposes of providing maintaining and operating thereon comfort and waiting stations and drinking fountains and to construct and maintain such stations and fountains on any of the streets or highways of the towship

XLVI Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the township by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by the proper vouchers to the said township each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of State moneys

XLVII Hospital Appropriations For townships [of the first class] having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to the residents of such townships but no such appropriation shall exceed in any year the cost of free service extended to residents of the township which is in excess of any amount paid by the Commonwealth towards such free service and in no case more than the sum of one thousand dollars ($1000)

XLVII.I Appropriations to Veterans' Home Associations To annually appropriate a sum not exceeding three hundred dollars for the support of any Veterans' Home Association which provides a home or club-house within the township for the use of United States War Veterans and which is not maintained in whole or in part by the United States or any governmental agency other than the township

XLVIII Garbage and Treatment Works [Separately or jointly] Jointly with one (1) or more municipalities to purchase any real property within or without the township limits [of any such township or municipality] and to erect and maintain garbage or incinerating furnaces and all appliances necessary therefor

XLIX Parking and Parking Lots To regulate parking and provide parking accommodations so as to promote the convenience and protection of the public to erect parking meters and to regulate parking meter charges To acquire by gift or purchase or the right of eminent domain lands for use as parking lots and to plan design locate hold construct improve maintain operate own or lease either in the capacity of lessor or lessee and install facilities and equipment including parking meters on any such land to be devoted to the parking of vehicles of any kind which in the judgment of the [corporate authorities] board of township commissioners may be necessary and desirable for the purpose of establishing and maintaining such parking lots and to regulate the use thereof Whenever any lands shall be acquired by any township for parking lots they may be operated by such townships as parking lots for parking vehicles only but not for the sale or distribution of any commodity or when so provided by ordinance or resolution they may be let to and for private operation as parking lots on such terms and conditions as may be prescribed

[IL] L Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article nineteen of this act any land lying either within or without the limits of the township which in the judgment of the [corporate authorities thereof] board of township commissioners may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of

said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

Section 32 Clauses LI LII LIII LIV and LV are hereby added to Section 1502 of said act to read as follows

LI Purchase and Planting of Trees To accept purchase and plant or contribute to the purchase and planting of shade trees and shrubs along the streets and sidewalks of the township and to expend township moneys for such purpose

LII General Powers To make and adopt all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be deemed expedient or necessary for the proper management care and control of the township and its finances and the maintenance of peace good government and welfare of the township and its trade commerce and manufactures

LIII Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to such political subdivisions

LIV Joint Contracts for Police and Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs and townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided that in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law

LV Widening and Deepening Water-Courses After a permit has been secured from the Water and Power Resources Board to widen and deepen water-courses running through the township and to erect such dykes retaining walls and embankments along the same as shall be necessary to prevent water from overflowing the banks thereof For such purposes townships may enter upon and condemn such property as may be necessary Townships may enter upon land lying near such water-courses and secure such material as may be necessary in connection with such work Damages for property taken injured or destroyed as the result of such work shall be fixed and determined in the manner provided in Article Nineteen of this act Townships may appropriate moneys for the purposes of carrying into effect the provisions of this clause

LVI Regulation of Charges To make and regulate charges for the use of facilities of the township

Section 33 Article XVI and sections 1601 to 1627 inclusive of said act are hereby reenacted amended and revised to read as follows

Article XVI

Public Health

(a) Boards of Health

Section 1601 Appointment of Boards of Health and Health Officers The administration of the health laws in townships shall be enforced by a board of health or by a health officer or officers as the case may be appointed by the township commissioners

Where township commissioners elect to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is [now] prescribed for boards of health in townships All health officers whether appointed by boards of health or township commissioners shall have had some experience or training in public health work in accordance with rules and regulations established by the advisory health board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by [the Secretary of Health of] the State Department of Health

Section 1602 Members of Board Terms Secretary Where the township commissioners decide to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession if one resides within the township The members of the board shall be appointed by the township commissioners At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall serve without compensation [:Provided however If] but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 1603 Organization of Board Salary of Secretary Bonds [of Members] Fees and Penalties Power to Administer Oaths The members of the board shall severally take and subscribe to the oath prescribed for township officers and shall anually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the board of commissioners of the township and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They if required by the board of commissioners shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required [by] of members of the board

All fees which shall be collected or received by the board or by any officer thereof in his official capacity shall be paid over into the township treasury monthly together with all penalties which shall be recovered for the violation of any regulation of the board The president and secretary shall have full power to administer oaths or affirmations in any proceeding or investigation touching the regulations of the board but shall not be entitled to receive any fee therefor

Section 1604 Duties of Secretary The secretary of the board shall keep the minutes of its proceedings shall keep accurate accounts of the expenditures of the board shall transmit all bills to the board of township commissioners for payment in the same manner as other bills of the township are paid shall draw all requisitions for the payment of moneys on account of the board of health and present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township commissioners together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of each month the cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board of health may require

Section 1605 Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and

available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health [or of the local board of health] to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases shall make sanitary inspections shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a [policeman] township police officer

Section 1606 Powers of Board of Health The [said] board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and any ordinances of the township relating to health work and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which it shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house drains wash pipes soil pipes and cesspools and make all such other rules and regulations as it shall deem necessary for the preservation of the public health and such other powers relating to health work as may be delegated by the township commissioners The board shall also have power with the consent of the township commissioners in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in its township to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which it is invested by law and the power and authority relating to the public health conferred on townships Such rules and regulations when approved by the township commissioners and when advertised in the same manner as other ordinances shall have the force of ordinances of the township All penalties or punishments prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to the like limitations as to the amount thereof

Section 1607 Entry of Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same and for any other purpose arising in connection with or in the performance of their duties

Section 1608 Inspections The board of health may inspect house drains waste and soil pipes cesspools water-closets slaughterhouses hogpens stables stable yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health Whenever any condition or place in the township is found by it to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises or to the occupant thereof stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by it in such order In case such order of abatement is not obeyed within the time specified therein it shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may by ordinance of the township be provided

Section 1609 Budget Appropriations It shall be the duty of the board of health or appointed health officer or officers to submit annually to the township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and the township commissioners shall then proceed to make such appropriations as may be deemed necessary [and the said] The board of health health officers or officers shall [in the month of January of each year] at the close of each fiscal year or fiscal period submit a report in writing to the township commissioners of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the township as may be necessary [and council or township commissioners shall publish the same in their official journal]

Section 1610 Cooperation in Health Work Any township may cooperate with the county or with any city borough township or school district as well as with the State Department of Health in the administration and enforcement of health laws

Section 1611 Powers of Secretary of Health Whenever in the opinion of the Secretary of Health of the Commonwealth conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the [corporate limits] boundaries of such township or if it be known to him that any township is without an existing or efficient board of health or health officer or officers the Secretary of Health may enter and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health or health officer or officers has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 1612 Expenses Incurred by Board or Secretary of Health All expenses incurred by any local board of health its officers or employes in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health in accordance with the provisions of the preceding section shall be paid by the township wherein such duties are performed in the same manner as other expenses of such township are paid

Section 1613 Suits by State Secretary of Health to Recover Expenses Whenever expenses incurred by the State Secretary of Health or his agents in the administration of health laws in any township in accordance with the provisions of this act shall remain unpaid by said township for a period of more than three months after a statement of such expense has been rendered by him to such township and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such township for the collection of such expense from the township in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 1614 Payment of Expenses Recovered Into State

Treasury All expenses incurred by the State Secretary of Health in the administration of health laws in any township when paid to him by such township or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

(b) Vacation of [Lanes and Alleys] Streets

Declared Nuisances by Board of Health

Section 1620 Petitions to Vacate Nuisances Whenever the board of health shall declare as a nuisance any public [alley lane or passageway] street or part thereof any two or more owners of property adjacent or abutting upon the same may present their petition verified by oath or affirmation to the court of quarter sessions setting forth the facts regarding such nuisance and praying that said [alley lane or passageway] street may be vacated Such petition shall be accompanied by a certificate of the board of health setting forth that they have declared such [alley lane or passageway] street to be a public nuisance

Section 1621 Jury of View The court shall thereupon appoint a jury of view of three men of the county The jury being sworn or affirmed to faithfully perform its duties shall give notice to all parties likely to be affected by the proceedings of the time and place of the first meeting in such manner as the court shall direct

Section 1622 Hearings and Report After the first meeting the jury shall proceed to view the premises hear all parties interested and their witnesses and shall prepare a report of their finding and recommendations as to whether or not such [alley lane or passageway] street or part thereof should be vacated and in such report shall award damages and assess benefits to the property affected

Section 1623 Notice of Filing Report The jury shall give notice in writing to all parties affected by their report [as] at least ten days before the same is filed in court The notice shall state the time and place where such report will be open to inspection

Section 1624 Exceptions to Report Any person aggrieved by such report may file exceptions thereto with the jury whereupon the jury shall reconsider their report with the exceptions and change the same as justice may require The report as finally prepared shall be filed in court

Section 1625 Appeals from Report Any person affected by the report shall have the right of an appeal to the court of common pleas within thirty days after the report is filed and the procedure on such appeal shall be the same as in actions of trespass

Section 1626 Confirmation of Report At the end of the period allowed for an appeal the report shall be absolutely confirmed by the court as to such awards or assessments from which no appeals have been taken

Section 1627 When Vacation Proceedings Not to be Had No [alley lane or passageway] street or part thereof shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress otherwise than to or from the front line thereof nor where it was created by grant or contract and not theretofore accepted by the public

Article XVII

Finance and Taxation

Section 34 Article XVII of said act is hereby amended by adding thereto the following section

Section 1700 Fiscal Year The current fiscal year of each township shall end with the day preceding the first Monday of January one thousand nine hundred and fifty There shall be a temporary fiscal period in each township commencing with the first Monday of January one thousand nine hundred and fifty and ending with the thirtieth day of June one thousand nine hundred and fifty Thereafter the fiscal year in each township shall commence on the first day of July of each calendar year and end with the thirtieth day of June of the next succeeding calendar year

Section 35 Article XVII and sections 1701 to 1712 inclusive of said act are hereby reenacted amended and revised to read as follows

Section 1701 Annual Budget Regulation of Appropriations The board of township commissioners [of townships] shall [each year within sixty days after the first Monday of January and at least thirty days prior to the adoption of the annual budget] during the month of December of the year 1949 or previous thereto for the temporary fiscal period from the first Monday of January 1950 to June 30th 1950 and on or before the first day of April of the year 1950 and each year thereafter prepare a proposed budget showing an estimate of the several amounts of money which will be required for the several specific purposes of township government and expenses during the current fiscal year or temporary fiscal period and by ordinance appropriate out of the revenues available for the year or temporary fiscal period the specific sums required as shown by the budget as finally adopted The tax levied by the township [authorities] commissioners shall be fixed at such figure within the limit allowed by law as with all other sources of revenue will meet and cover said appropriations The total appropriation shall not exceed the revenues available for the fiscal year or temporary fiscal period If the funds available from taxation and other sources shall be estimated to be in excess of the requirements of the current fiscal year or temporary fiscal period an appropriation may be made for the payment of township orders or indebtedness of the previous years

The budget shall be prepared on a uniform form prepared and furnished as provided in section one thousand seven hundred and one A of this act Final action shall not be taken on the proposed budget until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget

The township commissioners after making such revisions and changes therein as appear advisable shall adopt the budget on or before the first day of January 1950 for the fiscal period beginning the first Monday of January 1950 and on or before the seventh day of May for each fiscal year thereafter and shall not later than said dates make the tax levies for the fiscal period or fiscal year

The township commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law

The township commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

Within fifteen days after the adoption of the budget the township commissioners shall file a copy of the same in the office of the Department of Internal Affairs

Section 1701a Committee to Prepare Uniform Forms Uniform forms for the annual reports of township auditors and controllers to the Department of Internal Affairs as required in [section one thousand and three and section one thousand one hundred and seven] sections 1003 and 1103 of this act and the uniform form for the annual budget as required in section [one thousand seven hundred and one] 1701 shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Township Commissioners and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance

Such representatives shall be appointed by the president of said organization within sixty days after the effective date of this act As far as possible such representatives shall be chosen to represent townships in the various population groups within the range of townships of the first

class The president of said organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with said committee In the event that said committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms After their preparation he shall issue said forms and distribute them annually as needed to the proper officer of each township

Section 1702 Appropriations Not to Be Exceeded Changes in Appropriations No work shall be hired to be done no materials purchased no contracts made and no orders issued for the payment of any moneys by the authorities of any township in any amount which will cause the sums appropriated to specific purposes to be exceeded No change in the purpose of the appropriations shall be made unless by an ordinance which shall set out the reasons for and character of such change If any work shall be done for or materials furnished to any township contrary to the provisions of this section the township commissioners are hereby prohibited from authorizing payment therefor as a moral obligation or otherwise unless ordered or directed so to do by the court of common pleas or the court of quarter sessions of the county in which such township is situate

Section 1703 Certain Contracts [Et Cetera] Invalid No contracts hirings or purchases made or orders or warrants issued not provided for by an appropriation by the township commissioners as is required by law or which would cause any appropriation to be exceeded shall be valid

Section 1704 Power to Create Indebtedness Sinking Fund Temporary Indebtedness The board of township commissioners may by ordinance borrow money and issue evidences of indebtedness therefor to the extent and in the manner in which municipal districts are now authorized to incur or increase the same for the purpose of permanent improvements but the total indebtedness so created shall not exceed two per centum of the county valuation of the property within the township without the assent of the electors of the township or by resolution of the board of township commissioners they may authorize payment for permanent improvements or for other contracted obligations of the township by the issuance of certificates of indebtedness payable on a certain date not exceeding one year from the date of issue Provided That the total indebtedness so created by the township commissioners together with other indebtedness created by them does not exceed two per centum of the county valuation of the property within the township without the assent of the electors thereof The rate of interest on such indebtedness shall not exceed six per centum per annum In authorizing the issue of obligations or securities for such loans the township commissioners shall provide that moneys subsequently derived from assessments upon parties benefitted by such improvements shall be deposited in the sinking fund for the payment of the principal and interest of said obligations or securities

Whenever the township funds have been exhausted the township commissioners may [borrow] make temporary loans on the credit of the township [money] in anticipation of taxes [levied and] to be collected for the current fiscal year or temporary fiscal period and issue a certificate of indebtedness [payable on a certain date not exceeding one year from the date of issue to the end that work may be performed in proper season] therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

Section 1705 Sinking Fund Regulations and Investments It shall be the duty of the board of commissioners to cause accounts of the sinking fund and other accounts relating to the indebtedness of the township to be kept and to see to the proper application and superintend the investment of moneys therein in accordance with law The commissioners shall meet as often as may be necessary and keep a record of the proceedings The board of commissioners shall not direct the investment of any moneys to the credit of the sinking fund except in loans of the township the loans of the Commonwealth or the loans of the United States and the income derived from such investments or on any bank balances credited to the sinking fund shall be credited and applied only to the sinking fund

Section 1706 Indebtedness and Orders of Previous Years No orders or indebtedness of any previous years shall be paid out of the funds of any fiscal year unless the funds available from taxation and other sources shall be estimated to be in excess of requirements for the current fiscal year in which case an appropriation may be made for such purpose to the extent of such excess or unless after the close of the fiscal year it shall be ascertained that the funds appropriated and available therefor are in excess of the amount required in which cases such surplus may be applied to such former orders of indebtedness

Section 1708 Disbursements to Pay Indebtedness All disbursements in discharge of township indebtedness duly incurred shall be made by the township treasurer or his deputy by virtue of warrants or orders drawn on him by the order of the board of township commissioners signed by the president or vice president and attested to by the secretary or assistant secretary of the board The board shall prescribe by ordinance the manner in which bills for township indebtedness shall be approved for payment

Section 1709 Tax Levies The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied for the purposes and at the rate hereinafter specified Provided however That such valuation shall be subject to correction by the county commissioners of the several counties and to appeal by the taxable persons in accordance with existing laws

One An annual tax for general township purposes not exceeding [ten] twelve mills unless the board of township commissioners by majority action shall upon due cause shown by resolution petition the court of quarter sessions in which case the court may order a rate of not more than [five] three mills additional to be levied Further provided That if at the hearing before the court of quarter sessions upon said petition of which notice shall be given as the court may direct which hearing shall be held not less than ten nor more than fifteen days after said petition shall be presented the owners of real estate having assessed valuation of fifty per centum of the total assessed valuation of real estate in said township shall by petition object to the making of an order for any additional tax levy the court shall thereupon deny the prayer of said petition

For the temporary fiscal period commencing with the first Monday of January 1950 and ending with the thirtieth day of June 1950 the township commissioners may but need not levy taxes but any taxes so levied shall not exceed one-half of the maximum rates specified in clauses one to six inclusive of this section

Two A tax for the purpose of building and maintaining suitable places for the housing of fire apparatus the receipts from said tax for maintenance to be divided among the places maintained

Three An annual tax not exceeding one-tenth of one

mill for the purpose of caring for trees planted under the supervision of the shade-tree commission and for the purpose of publishing notices of meetings to consider the planting removing or changing of trees In lieu of the tax provided for in this clause the township commissioners may by specific appropriation provide for the maintenance of such trees from the general funds of the township

Four An annual tax so long as necessary [not exceeding fifty per centum of the rate of assessment for township purposes] for the purpose of procuring a lot and/or erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith [Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township]

Five An annual tax sufficient to pay interest on indebtedness and sinking fund charges

This section does not include the levy of any taxes upon particular districts or parts of any township for particular purposes nor special levies otherwise provided for in this act

Six The commissioners of the township shall have the power to levy and collect annually on the valuation assessed for general township purposes as now is or may be provided by law an additional tax not exceeding one-half (½) mill to provide for pensions retirement or the purchase of annuity contracts for township employes This tax shall be kept in a separate fund and used only for the purposes herein provided

Section 1710 Tax Rates to Be Expressed in Dollars and Cents Whenever the commissioners of any township shall by ordinance fix the rate of taxation for any year at a mill rate such ordinance shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 1711 Special Levies to Pay Indebtedness In addition to the levies hereinbefore provided for when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the township commissioners may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township commissioners by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it unadvisable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 1712 Delivery of Duplicates [As soon as possible after the receipt of the duplicate from the county commissioners the] The board of township commissioners shall deliver a duplicate of the assessment of township taxes to the township treasurer together with their warrant for the collection of the same Delivery shall be made on or before the 25th day of January 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending with the 30th day of June 1950 and on or before the 15th day of June 1950 and each year thereafter for each fiscal year

Section 36 Article XVIII and sections 1801 and 1802 of said act are hereby reenacted amended and revised to read as follows

Article XVIII

Contracts

Section 1801 Power to Make Contracts Townships [shall have] [power to] may make [such] contracts [as may be necessary] for lawful purposes and for the purpose of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 1802 General Regulations Concerning Contracts

(a) All contracts or purchases made by any township involving the expenditure of over five hundred dollars except those hereinafter mentioned shall be in writing and shall be made only after notice by the secretary published in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication [and] or in case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids All plans and specifications shall be on file at least ten days in advance of opening bids

(b) In every instance in which any contract for any public work construction materials supplies or other matters or things for any township shall be awarded upon competitive bids it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the township commisisoners at which meeting bids shall be publicly opened and read If through lack of a quorum or other reason no meeting shall be held at such time and place notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed and the foregoing provisions as to bids shall apply The same course shall be pursued until a meeting shall actually be held for receiving and opening bids Any contract made in violation of the provisions hereof shall be void But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years Provided That if prior to the letting of any contract taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township shall sign and file with the township secretary of the board [of township commissioners of the township] a written protest against such contemplated contract then such contract shall not be let

(c) The successful bidder when advertising is required herein shall be required to furnish bond with suitable reasonable requirements guaranteeing the performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless the township commissioners shall prescribe a shorter period of not less than ten days Upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including exceptions herein

[(c)] (d) The contracts or purchases made by the commissioners involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any township through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured products

(4) Those involving any policies of insurance or surety

company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Govrnment or their agencies

(5) Those involving personal or professional services

Section 37 Section 1803 of said act is hereby repealed

Section 38 Sections 1804 1805 1806 and 1807 of said act are hereby reenacted amended or revised to read as follows

Section 1804 [Contracts] Bonds for Protection of Labor and Material-men It shall be the duty of every township to require any person copartnership association or corporation entering into a contract with such township for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred ($500) dollars before commencing work under such contract to execute and deliver to such township in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corpora'ion interested in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price as such township may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter in and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the township for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the township for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereon Provided however That the township shall not be liable for the payment of any costs or expense of any suit

Section 1805 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder

Section 1806 Workmen's Compensation Insurance All contracts executed by any township which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any township who shall sign on behalf of the township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance by the Bureau of Workmen's Compensation of the Department of Labor and Industry

In any contract executed in violation of the provisions of this act the township which is a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

Section 1807 Engineers and Architects Not to Be Interested in Contracts It shall be unlawful for any architect or engineer in the employ of a township and engaged in the preparation of plans specifications or estimates or for any officer or employe of the township directly or indirectly to bid on any public work at any letting of such work in such township

It shall be unlawful for the officers of a township charged with the duty of letting any public work to award a contract to any such architect engineer officer or employe in the employ of the township

It shall be unlawful for any architect engineer officer or employe in the employ of any township to be in any wise interested in any contract for public work in such township or to receive any remuneration or gratuity from any person interested in such contract

Any person or persons violating these provisions or any one of them shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment of not less than six months or both in the discretion of the court

Section 39 Article XVIII of said act is hereby amended by adding thereto sections 1808 1809 1810 and 1811 to read as follows

Section 1808 Minimum Wages under Contracts

(a) The specifications upon which contracts are entered into by any township for the construction alteration or repair of any public work or improvement may at the option of any such township contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages

(b) Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications

(c) Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the commissioners of the township all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation

(d) All such penalties shall be withheld and deducted for the use of the township from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage

stipulation of the specifications was by the contractor or by any of his subcontractors Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the township shall pay to the contractor the amounts so withheld as penalties

Section 1809 Discrimination Between Employes Every contract for or on behalf of any township for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employes for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race creed or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employe hired for the performance of work under his contract on account of race creed or color

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract and

(d) That the contract may be cancelled or terminated by the township and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract

Section 1810 Publication of Contract Notices Any township may legally authorize the publication of advertising for bids for public works contracts supplies or equipment in addition to the nawspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

Section 1811 Penalty for Personal Interest in Contracts Except as otherwise provided in this act no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expenditure by the township of more than three hundred dollars in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise But in the case of a commissioner if he knows that he is within the exception just mentioned he shall so inform the commissioners and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 40 Article XIX and sections 1901 to 1916 inclusive of said article are hereby reenacted revised and amended to read as follows

Article XIX

Eminent Domain Assessment of Damages and Benefits

(a) General Provisions Relating to Eminent Domain

Section 1901 [Scope of Article Whenever under the provisions of this act the right of eminent domain and/or the ascertainment and assessment of damages and benefits in viewer proceedings is provided for the proceedings shall be as set forth in this article] Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers including storm water drains the erection and extension of waterworks wharves and docks public buildings public works lands and places for the disposal of ashes and other refuse materials garbage treatment works and libraries the establishing of parks playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a township of the first class may enter upon appropriate injure or destroy private lands property and material

Section 1902 Restrictions As to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no township shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 1903 Possession of Property upon Tender of Bond Whenever in any condemnation proceedings any township has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the township shall have the right to immediate possession of the property

Section 1904 Notice to Quit Possession Procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the township may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the township possession

Section 1905 Bond of Township Without Surety Sufficient Whenever the township shall tender any bond or

any court shall order any township to enter security for the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the township shall be taken without [sureties] surety

Section 1906 Value of Land or Property Not to Be Assessed as Benefits Exceptions In all cases of the appropriation of land or property for public use other than for [roads or] streets it shall not be lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

Section 1907 Right to Damages The right to damages against townships is given to all owners or tenants of lands property or material abutting on or through which pass [roads] streets [lanes or alleys] injured by the laying out opening widening vacating extending or grading of such [roads] streets [lanes or alleys] or the changing of the grades or lines thereof by such townships the construction and the vacation by such townships of bridges and piers abutments and approaches therefor and the construction by such townships of sewers over upon or through such lands or property and in all other cases where the power of eminent domain is exercised by a township and property is taken injured or destroyed

Section 1908 Viewers' Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] street or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file [its] their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1909 Plan of Properties Condemned to Be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying land or property for said purpose shall furnish the [board] jury of [viewers] view with a correct plan of all land or properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all [highways] streets running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land or property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1910 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (herein designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 1911 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the Department of Revenue the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section 1912 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior or Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land or property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section 1913 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [taker thereof] township in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1914 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the element of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street [alley or other highway] to take into consideration as one of the elements of advantage or disadvantage the cost of street improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 1915 Proceedings Where Assessments by View-

ers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any township where the owner and township cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] township to plead thereto within fifteen days from the service of such rule upon the township and the suit shall be proceeded with as if an award of viewers had been filed and and appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1916 Appeals in Eminent Domain Proceedings Payment of Money Into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of their works [highways] streets or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 41 Said act is hereby amended by adding thereto sections 1917 and 1918 to read as follows

Section 1917 Title Acquired In all cases where land or property is acquired in eminent domain proceedings other than for street purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1918 Land Transferable If the project or purpose for which any land or property has been taken received or acquired shall be abandoned or found not to be desirable for the best interests of the township the land or property thus obtained may be used for other township purposes or sold leased or otherwise disposed of

Section 42 Article XIX and sections 1920 to 1953 inclusive of said act are hereby reenacted revised and amended to read as follows

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits

Section 1920 Petition for Viewers Time of Meeting Except as [in this act] otherwise provided in this act in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain [and] or from the erection and construction of public improvements [have] has not been agreed upon the court of common pleas or any law judge thereof in vacation on application thereto by petition by the township or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1921 When Viewers May Be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any land or property or appropriation of any materials for constructing such improvements

Section 1922 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of general circulation in the township and by handbills posted upon the premises or otherwise as the court shall direct

Section 1923 Swearing Viewers Hearings Schedules of Damages and Benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same is payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1924 Assessment of Damages and Benefits The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the land or property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the lands or properties peculiarly benefited including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessments for benefits shall not exceed the total damages awarded or agreed upon

Section 1925 Assessment Awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the several owners of the land or property affected thereby

Section 1926 Separate Reports of Damages and Benefits The [preceding section shall not prevent the] viewers [from making] shall make a separate report of the damages and benefits respectively [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal in either case the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1927 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1928 Service of Notices Such notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [township] county in which the township is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises The board of commissioners may by ordinance provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1929 Report of Viewers Plan of Improvements

After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and [or] benefits allowed and assessed in each case and file therewith a plan to be secured or prepared by the viewers showing the improvement the lands or properties taken injured or destroyed and lands or properties benefited

Section 1930 Notice of Filing of Report When the report is filed notice thereof shall immediately be given by publication once in the newspaper or newspapers publishing the notice provided for in this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions [be] are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1931 Townships to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the township

Section 1932 Bond of Township Except when [in this act] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the township may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of anyone under legal incapacity

Section 1933 Condition of Bond Notice of Filing in Court The condition of the security shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages refuses to accept the security tendered the township shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1934 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages [be] are not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the township may proceed with the improvement

Section 1935 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1936 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken therefrom he shall enter a decree that the report is confirmed absoutely

Section 1937 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of When the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1938 Appeals from Confirmations after Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1939 Effect of Appeals When any appeal is taken from the action of the court of common pleas confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1940 Filing Assignments of Error Et Cetera In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or grounds of appeal Upon failure so to do the township or any party interested may by notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 1941 Certificate of Judge of the Court Below Upon the request of the township or any party interested the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1942 Effect of Affirmation of Decree of Court Below If on any appeal the action of the court below is affirmed the date of the decree of judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1943 Consolidation of Appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of appeal are similar the appellate court may consolidate the appeals

Section 1944 Appellants May Unite in Appeals Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal if taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1945 Appeals from Reports of Viewers for Jury Trial Within thirty days after any report of viewers is filed in the court of common pleas any party whose land or property is taken injured or destroyed or [who is assessed benefits] against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each party shall in any event be entitled to demand a separate trial by jury Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days after the report is filed in court

Section 1946 Reasons for Appeals to Be Stated The appeal as provided in the last preceding section shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1947 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1948 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1949 Appeals to the Wrong Court Should any appeal under this article to the Supreme or Superior Court be made to the wrong court such court shall certify the appeal to the court to which it should have been taken

Section 1950 Appeals Not to Prevent Filing Liens No appeal taken [under this article] to any court shall prevent the filing of liens by any township for any assessment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1951 Discontinuance of Proceedings If any township shall repeal any ordinance or discontinue any proceeding providing for any improvement prior to the entry upon taking or injury to any land or property or appropriation of any materials the township shall not be liable to pay any damages which have been assessed but all costs upon any such proceedings shall be paid by the township together with any actual damage sustained by reason of such proceeding

Section 1952 Assessments to Bear Interest All assessments for benefits cost and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the township

Section 1953 Damages to Bear Interest The amount of damages allowed in a report of viewers for the taking injury or destruction of land or property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of the [confirmation nisi] filing of the report

Section 43 Article XX and Sections 2001 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 and 2015 are hereby reenacted revised and amended to read as follows

Article XX

[Roads] Streets [and Highways]

(a) Plans of Streets

Section 2001 Every township shall have a general plan of its streets [and alleys] including those which have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township and all subdivisions of property thereafter made shall conform thereto No streets [or alleys] or parts thereof laid out or accepted and confirmed on such plan shall afterwards be altered without the consent of the commissioners of the township No plan or plot of streets shall be entered in any public office of the county until approved by the board of township commissioners No person shall be entitled to recover any damages for any improvements placed or constructed within the lines of any street [or alley] after the same has been located or ordained on the plan provided for by this section

(b) Laying Out Opening Widening Straightening Vacating and Relaying [Roads] Streets et cetera Repairs and Detours

Section 2005 Power to Lay Out Open Widen Vacate Et Cetera The board of township commissioners may enact ordain survey lay out open widen straighten vacate and relay all [roads] streets [lanes and] [alleys] and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such [road] street [lane or alley] passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the board of commissioners it is necessary for the public convenience Such power shall include authority to vacate in whole or in part [roads] strets [lanes and alleys] laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a [public road] street which will be a continuation or extension of a street already opened by an adjacent city [or] borough or township

Section 2006 Burial Grounds Et Cetera Saved No [such road] street [lane or alley] shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 2007 Notice of Hearing The board of commissioners shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the board of commissioners and by the parties interested at such meenting or any adjournment thereof

Section 2008 Draft Report After such hearing and a consideration of the matter should the board of commissioners or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the [road] street [lane or alley] fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter sessions

Section 2009 Exceptions to Report Any citizen or freeholder of the township may within thirty days after the filing of the report of the board of commissioners upon entering in the court sufficient surety to indemnify the board for all costs incurred in the proceedings file exceptions to the report together with a petition for a review

Section 2010 Appointment of Viewers Upon favorable action on such matter by the board of commissioners and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the board of commissioners or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

Section 2011 Notices to Be Posted Along Improvement After the passage or approval of any ordinance by the board of commissioners for the opening widening straightening extending or vacating any [road] street [or alley] notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 2012 Width of Public Roads The width of a [public road] street in townships [of the first class] shall not be less than thirty-three feet or more than one hundred and twenty feet unless in any particular case the township commissioners shall determine that a [road] street of lesser width will be sufficient for public use and travel but in no case shall any public [road] street be less than twenty-four feet in width Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the [road] street and the extra width re-

quired for such slopes exceed the limits of width herein specified

Section 2013 Opening and Repairing Roads [Public roads or highways] Streets laid out by lawful authority in townships shall as soon as may be practicable be effectually opened and constantly kept in repair All [public roads or highways] streets shall at all seasons be kept reasonably clear of all impediments to easy and convenient traveling at the expense of the township

Whenever proceedings have been heretofore or may hereafter be begun for the opening and laying out of any [public road] street in any township such [public road] street shall be physically opened upon the ground for use by the public within the period of five years next after the completion of such proceedings and if not so opened then such proceedings shall be deemed to be void and of no effect and the land proposed to be taken shall revert to the owners of the land as in the case of the vacation of a [public road] street free of any easement or right of the public to use the same

Section 2014 Detours Except in the case of emergencies wherein the safety of the public would be endangered no [public road or highway] street in any township shall be closed to vehicular traffic except upon order of the [authorities having charge of the maintenance of such highways] township commissioners nor for a longer period than is necessary for the purpose for which such order is issued Provided however That no [public road or highway] street shall be closed to vehicular traffic when the same has been designated as a detour by the State Department of Highways unless the written consent of the Department of Highways has first been obtained or unless the [authorities having jurisdiction over said road or highway] township commissioners shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any [public road or highway] street shall be closed as hereinbefore provided it shall be the duty of the [authorities] township commissioners authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible direction signs at each public road intersection throughout its entire length [indicating the direction to the main highway] During the period when such detour is in use it shall be the duty of the [authorities closing the main highway] township commissioners to maintain such detour in safe and passable condition except in the case of state or county highways It shall also be the duty of the authorities [closing the main highway and] maintaining the detour to immediately remove all detour signs when the [highway] street originally closed is opened for traffic [Said authorities] Except in the case of state or county highways the commissioners shall as soon as possible repair the [road] street designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the [authorities] township commissioners responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the [main highway] street shall be closed to traffic In the exercise of the rights conferred by this section the [authorities] township commissioners responsible are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and [/or] maintenance of the [highways] streets in their charge

Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this section or who shall drive on over or across any [highway] street which has been properly closed [by proper authority] shall upon conviction thereof in a summary proceeding before a [magistrate alderman or] justice of the peace be sentenced to pay a fine of not [less than twenty-five dollars nor] more than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a [highway] street may drive on over or across such [highway] street with the consent in writing of and subject to such conditions as may be prescribed by the [authorities] township commissioners responsible for the closing or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the [authorities] township commissioners responsible for the maintenance of a [highway] street which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a [highway] street by driving on over or across the same when it is closed to vehicular traffic in accordance with the provisions of this act

All fines and moneys collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the township in which the offense was committed

The commissioners of any township may temporarily close any [township road] street when in their opinion excessive or unusual conditions have rendered such [road] street unfit or unsafe for travel and [immediately] immediate repair because of the time of the year or other conditions is impracticable The [road] street or portion [of road] thereof so closed shall be properly marked at its extremities and a means of passage for the customary users of such road shall whenever possible be provided

Anyone using such [road] street or portion thereof after the same has been properly closed and marked without a permit from the commissioners shall be subject to a penalty of not more than one hundred dollars to be recovered in a summary proceeding The penalties so recovered shall be payable to the treasurer of the township wherein the offense was committed

Section 2015 Laying Out Roads Under the General Road Law All roads partly within townships of the first class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto But no such road shall be opened changed widened altered or vacated unless and until the board of commissioners of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the first class shall be assessed collected and paid by such townships of the first class

Section 44 Article XX subdivision (c) of said act is hereby amended by adding thereto Section 2019 as follows

(c) Dedicated [Roads] Streets [Lanes Alleys] and Drainage Facilities

Section 2019 Scope of Subdivision The provisions of this subdivision (c) of this article shall only apply in case a township shall fail to adopt and enforce land subdivision regulations as provided in Article XXX A of this act and to situations not covered by such regulations

Section 45 Sections 2020 2021 2022 2023 2024 2025 2030 2031 2032 2033 2035 2040 2045 2050 2051 2052 2053 2054 2055 2056 2060 2061 2062 2063 2065 2066 2067 2070 2078 2080 2081 2083 2084 2086 2088 2090 2091 2092 2093 2094 2095 and 2096 are hereby renacted revised and amended to read as follows

Section 2020 Plans of Dedicated [Roads and] Streets No person shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in con-

nection therewith for public use or travel in any township without first submitting plans thereof to the township commissioners for their approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the profiles of such [roads] streets [lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules and regulations adopted by the township commissioners Before acting upon any such plans the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township commissioners are authorized to alter such plans or order the same to be altered and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications but no plans shall be approved until there is a solicitor's report as to municipal liens Any plans when so approved shall be signed in duplicate on behalf of the township by such officer as the commissioners may designate and an approved duplicate copy shall be filed in the township engineer's office or other proper office where the same shall be available to public inspection No [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner nor until such plan and the approval thereof has been recorded as hereinafter provided

Section 2021 Appeals where Commissioners Refuse Approval In any case where the township commissioners shall refuse to approve any plans submitted to them in accordance with this act any person aggrieved by the action of the commissioners may within thirty days after such action appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter a decree affirming reversing or modifying the action of the commissioners as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

The action of the township commissioners or of the court on appeal in approving any such plans and an approved duplicate copy of such plans shall be recorded by the person applying for such approval in the office of the recorder of deeds of the county

Section 2022 No responsibility on Township where Plans not Approved If any [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved as provided in this subdivision neither the township commissioners nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such [road] street [lane or alley] and neither the township commissioners nor any other public authorities shall have any responsibility of any kind with the respect to any such [road] street [lane alley] or drainage falicities notwithstanding any use of the same by the public unless such [road] street [lane alley] or drainage facilities [are] is accepted by ordinance Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory If any person shall open any [road] street [lane or alley] or any drainage facility in connection therewith without submitting and obtaining approval of plans as provided in section two thousand twenty of this act and if the township commissioners shall have no information that such [road] street [lane or alley] or drainage facility in connection therewith shall be intended for public use or travel the township commissioners may in their discretion file with the recorder of deeds of the county a certificate containing a description of the land served by such [road] street [lane or alley] or drainage facility in connection therewith and a statement that as the township commissioners have not approved such plans neither the township commissioners nor any other public authority shall have any responsibility to furnish any facilities or services with respect to such land or any responsibility of any kind with respect to such [road] street [lane or alley] or drainage facility in connection therewith The owner of such land shall be designated and indexed as grantor in the records of the office of the recorder of deeds and the township shall be designated and indexed as grantee therein It shall not be necessary for such certificate to be executed by any other party than the township commissioners filing the same Nothing herein contained shall be deemed to prevent the township commissioners from enforcing the provisions of this act in any case in which any such [road] street [lane or alley] or any drainage facility in connection therewith is intended for public use or travel

Section 2023 Entry of Lands The township commissioners and their representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the commissioners deem necessary in carrying out their powers and duties of this subdivision

Section 2024 Penalty Any person copartnership or corporation who or which shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in connection therewith for public use or travel in any township without having first complied with the provisions of this subdivision and of any ordinances or resolutions of the township [authorities] commissioners adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof such person or the mmebers of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 2025 Powers of State and Counties Preserved Nothing contained in this subdivision shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted

(d) Relocation Alteration and Vacation of [Roads] Streets in or near State Parks

Section 2030 Agreements to Relocate Alter and Vacate [Roads] Streets in or near State Parks Whenever a public road or highway within a park or public ground title to which park or public grounds is vested in the State of Pennsylvania is laid out located relocated altered or vacated in such manner that a [public road or highway] street approaching leading into or continguous to such park or public grounds shall become either useless inconvenient or burdensome such [public road or highway] street approaching leading into or contiguous to such park or public grounds may be altered relocated or vacated by the township commissioners charged with the duty of maintaining such [roads or highways] streets in whole or in part for the purpose of making it convenient and suitable as an approach to the roads and highways within said park or public grounds upon the consent and agreement of (a) The commissioners or officials charged with the care and management of said park or public grounds (b) the township commissioners charged with the duty of maintaining said [roads or highways] street approaching leading into or contiguous to said park or public grounds and (c) the property owners owning the majority of the frontage of land abutting upon the relocated portion of the [road or highway] street approaching leading into or contiguous to said park or public grounds

Section 2031 Agreement to Be Filed in Court Effect of

Filing The filing of the consent and agreement of commissioners or officials charged with the care and management of such park or public grounds the township commissioners charged with the maintenance of said [roads and highways] streets and of the property owners provided for in the preceding section in the court of quarter sessions of the county or counties in which the altered relocated or vacated [road or highway] street is situate shall have the same force and effect as the filing and the approval and absolute confirmation by the court of quarter sessions of a report of viewers appointed in accordance with the general road law and shall have the same force and effect as though said viewers had laid out located relocated altered or vacated such [road or highway] street in accordance with the agreement filed as aforesaid and the report of said viewers had been filed approved and absolutely confirmed by the court

The filing of said agreement in the court of quarter sessions shall be conclusive as to the question of the necessity for the laying out location relocation alteration or vacation of said [roads or highways] streets as contained in the said agreement and that the portion or portions of said [road or highway] street abandoned or vacated [were] was useless inconvenient and burdensome

Section 2032 Altered and Relocated [Roads] Streets Declared Township [Roads] Streets Such [road or highway] street when altered or relocated shall be maintained and repaired in the same manner as other township [roads] streets are maintained and repaired

Section 2033 Assessment of Damages The owner of any land through which any [public road or highway] street may be so relocated may apply by petition to the court of quarter sessions of the proper county setting forth the injury which [he or she may have] has been sustained by reason of the relocation of the said [public road or highway] street and the proceedings relative to the assessment and payment of damages of said land owner shall be in accordance with the provisions of this act for proceedings for the assessment of damages and benefits

(e) Elimination of Curves

Section 2035 Any township may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any township [highway] street as in the opinion of the commissioners of such township may be necessary to eliminate dangerous curves and widen narrow streets for the better protection and safety to the traveling public

Upon any such purchase or condemnation the township comissioners may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow street to the extent of the property and land so acquired

The proceedings for the condemnation of such property and lands under the provisions of this section and for the assesment of damages for property or land taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of land by townships

(f) Acquisition of Unobstructed Views at Curves and Intersections

Section 2040 Any township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two [highways] streets or a [highway] street and a railroad or railway or at any curve in any [highway] street as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of [any person or] persons traveling upon any such [highway] street

Upon any such condemnation the township comissioners having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands [under the provisions of this act] and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided in this act for the condemnation of land by townships

Upon the condemnation of a view [over and across any such lands] the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(g) Changing or Altering [Roads] Streets by Agreement with Property Owners

Section 2045 Improving or Vacating Streets by Agreement When ever the comissioners of any township deem it advisable to construct change widen relocate or alter any part of any [public road] street under their supervision and can agree with the property owners affected by such change as to damages they may upon payment of damages agreed upon change widen relocate or alter such part of such [public road] street as contemplated in such agreement without the formality of a view

No such [change or alteration] improvement of any part of any [public road] street shall be made the costs and expenses of which to such township including damages shall exceed [three hundred] one thousand dollars A petition setting forth the facts accompanied by a map or draft of such proposed [change] improvement shall be presented to the court of quarter sessions for approval before such actual [change] improvement is made whereupon the new location approved by the court shall be taken to be the [public road] street and the old location shall be vacated

Nothing contained in this section shall be construed to prohibit a township from paying for curbs gutters sidewalks [and] retaining walls and incidental work necessitated by such construction change alteration or widening in cases where the land necessary therefor is dedicated to the township for public use

(h) Grading Draining Curbing Paving Macadamizing [Roads or] Streets on Petition and Assessment of Benefits by Viewers

Section 2050 Proceeding on Petition Upon the petition of a majority of property owners in interest or number abutting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a township may grade curb pave or macadamize or otherwise improve any [road] street or part thereof or which may be in whole or in part boundaries street [or alley] or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof and may also provide for the improvement of any street [road lane or alley] and any sections or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said [highway] street curb parking spaces or shade trees or by changing alterating renewing replanting pruning or otherwise improving the same in any or all of said particulars The majority in interest or number required for such pettiions shall be fixed as of the date of such petition

Section 2051 Grading Restrictions In grading a [road] street [lane or alley] it shall be unlawful to raise the [highway] street above the ordinary grade when a drain or culvert is constructed under such [highway] street or where a [highway] street is constructed over such drain or culvert

Section 2052 Notice After the passage of any ordinance for the grading curbing paving or macadamizing or otherwise improving any street [or alley] notice shall be

given within ten days thereafter by handbills posted in conspicuous places along the line of the proposed improvement

Section 2053 Contents of Notice The notice shall state the fact and the date of the passage of such ordinance that the petition for the improvement was signed by a majority in interest and number of owners of property abutting on the line of the proposed improvement and that any person interested denying the fact that said petition was so signed may appeal to the court of common pleas of the county within thirty days from the passage of the ordinance

Section 2054 Appeals from Ordinance Any person interested may within thirty days from the passage of such ordinance present a petition to the court of common pleas of the county setting forth the facts whereupon the court shall determine whether such improvement was petitioned for by the requisite majority If the court shall find that it was not so petitioned for it shall quash the ordinance but if it shall find that it was so petitioned for it shall approve the same If no appeal shall be taken or if the court on appeal shall approve the ordinance the township may proceed with the improvement and thereafter all parties shall be estopped from denying the fact that such petition was properly signed

Section 2055 Assessment of Damages and Benefits by Viewers On petition viewers shall be appointed as provided in this act who shall assess the damages costs and expenses of such grading curbing paving or macadamizing or parking shade tree planting or changing or altering renewing replanting pruning or improving including the expenses for necessary drainage unon the property benefited according to benefits if sufficient can be found but if not the deficiency when ascertained shall be paid by the township The proceedings of the viewers and the proceedings on their report shall be as provided in this act for such proceedings

Section 2056 Assesments to Bear Interest Collection All such assesments for benefits if not paid within thirty days shall bear interest as provided by this act in such cases and if any such assesment remains unpaid it shall be the duty of the township solicitor to collect the same with interest by action of assumpsit or by a lien to be filed and collected in the manner provided by law for the filing and collection of municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim

(i) Grading Draining Curbing Paving or Macadamizing Streets and Collection of Cost by Foot Front Rule

Section 2060 Proceedings With or Without Petition Townships with petition or without petition may grade curb gutter pave macadamize or otherwise improve [roads] streets [lanes and alleys] or parts thereof or a particular width or additional widths thereof with or without the assistance or contribution of the State county or a corporation occupying the thoroughfare and may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners or real estate abutting on the improvement by an equal assessment on the foot front including the expense of the necessary drainage [Such power may be exercised as to any township road street lane or alley or any State or State-aid highway or county road or highway] The board of commissioners may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative In all cases where the whole width of the [highway] street is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the township shall for this purpose be considered as owner of non-assessable property of street [and alley intersections] intersection and of the deducted frontage on equitable adjustments On petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement the total cost of the improvement or lesser amount if the township desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street [and alley intersections] intersection or for the equitable adjustments aforesaid Provided That the petition states that the total cost may be assessed on the abutters

Section 2061 Grading Restrictions in grading a [road] street [lane or alley] it shall be unlawful to raise the [highway] street above the ordinary grade when a drain or culvert is constructed under such [highway] street or where a [highway] street is constructed over such drain or culvert

Section 2062 Notices of Assessments The secretary of the township shall cause thiry days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises

Section 2063 Collection of Assesments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from [the time of] thirty days after the completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots may be embraced in one claim

(j) Road Material Ditches Drains and Watercourses

Section 2065 Power to Enter Lands When [road] material cannot be conveniently obtained by contract at reasonable prices the commissioners of townships may enter upon any land or enclosure within their township lying near the [road] street and dig gather and carry upon the [road] street any stones sand or gravel which they think necessary to make maintain or repair the [road] street In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

Section 2066 Viewers to Fix Damages Whenever the commissioners and the owners of any such materials cannot agree upon the price to be paid therefor the value of such materials shall be assessed by viewers to be appointed and to make report as provided in this act in the case of eminent domain proceedings

Section 2067 Ditches Drains and Watercourses Approval of Plans No person shall stop fill up confine pave or otherwise interfere with any drain ditch watercourse or drainage facilities in a township without first submitting suitable plans thereof to the township commissioners for their approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the exact nature of the work to be performed Before acting upon any such plan the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The commissioners are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any alterations changes or modifications Any plans when so approved shall be signed on behalf of the township by such officer as the commissioners may designate and shall be filed in the township offices where the same shall be available for public inspection No drain ditch watercourse or drainage facilities shall be constructed altered stopped filled up confined paved or otherwise interfered with except in strict accordance with plans so aproved by the commissioners or with further plans subsequently approved by them in the same manner No township shall have any responsibility with respect to conditions arising as a result of the failure on the part of any person to comply with the requirements of this act

The township commissioners may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment

are necessary to carry the water from the [roads] streets [lanes or alleys]

[If any person] Any person who shall stop fill up or confine pave or otherwise interfere with any such drain or ditch watercourse or drainage facilities or shall divert or change the course thereof without the approval of the commissioners as herein provided [such person] shall [be guilty of a misdemeanor and] upon conviction thereof in a summary proceeding [shall] be sentenced to pay a fine not exceeding [one thousand dollars or suffer imprisonment not exceeding two years or both in the discretion of the court] twenty-five dollars for each offense and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Nothing contained in this section shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its powers and duties under the provisions of any law of this Commonwealth nor to obviate the necessity of securing the consent of the Water and Power Resources Board where required by existing law

(k) Trees Shrubbery and Obstructions Within Limits of [Highways] Streets

Section 2070 In order to provide for easy and convenient traveling upon the public [highways] streets the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public [road] street [lane or alley] or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such [highways] streets shall become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the [highway] street In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

(l) Protection of [Highways] Streets from Snowdrifts

Section 2078 Whenever any [roads] streets or [highways] in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the commissioners such drifts of snow can be avoided by the removal of any fence erected along either side of such [road] street [or highway] and replacing the same by a fence constructed of posts wire and boards or rail combined such commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

Any township which is responsible for the maintenance of any [public road or highway] street shall have authority to enter upon private property adjacent to such [public road or highway] street and place thereon a snow fence at any point as may be deemed necessary to within a limit of one hundred (100) feet from the right of way line of such [public road or highway] street in order to eliminate snow drifting on the traveled portion of the [public road or highway] street

No such snow fence authorized shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the township shall not be able to enter into an agreement with the owner of the adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township Any funds available for the construction and maintenance of [public roads or highways] streets shall be available for the payment of such damages

(m) Guideposts and Index Boards

Section 2080 Duty to Erect The commissioners of [townships] the township shall erect posts at the intersection of all [public roads] streets and at one of the angles where any [public road] street crosses another [public road] street or highway and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such [roads providing that] street but if a tree trolley pole telephone pole telegraph pole or building is so erected that it can be used in place of a post and permission has been secured from the owner thereof such tree pole or building may be used in place of a post On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such [roads] streets lead and the distance thereto computed in miles [Provided That where] Where any [public highway] street intersects or crosses a State highway application for a permit shall be made by the commissioners to the State Department of Highways for the erecting of such signs

Section 2081 Penalty for Destroying It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any [public] street [road] or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street [road] or bridge by any club association or other organized body for the direction guidance or safety of travelers Any person violating any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days Fines and moneys so collected shall be paid to the township treasurer [In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days]

(n) [Highways] Streets Crossing Railroad Special Uses of [Highways] Streets

Section 2083 Railroad Crossings Every township constructing a [highway] street across a railroad shall construct the same above or below the grade thereof unless permitted by the public [Service] Utility Commission to construct the same at grade

Any such crossing of a railroad by a [highway] street or any vacation of any [highway] street crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public [Service] Utility Commission [The] In such cases compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public [Service Company] Utility Law

Section 2084 [Highway] Street Permits No railroad or street railway shall hereafter be constructed upon any township [highway] street nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township [highway] street except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the board of township commissioners not exceeding the reasonable cost of issuing the permit and expense of inspecting the work

authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the township treasury

(o) County-aid in the Improvement of Township [Roads] Streets

Section 2086 Whenever the owners of the majority of the assessed valuation of real property within any township desire any principal [road or highway] street within the township to be improved and maintained at the joint expense of the county and township they may petition the commissioners of the township for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

In all cases where the township commissioners refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any [road or highway] street any citizen taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the pettiion are sustained the court shall make an order directing the township commissioners to forthwith act upon said application or applications and that the said application or petition for the improvement be forthwith forwarded to the county commissioners

(p) Penal Provisions

Section 2088 If any person working upon any [road or highway] street in any township or if any one in company with such person shall ask money or reward or by any means whatever shall extort or endeavor to extort any money intoxicating drink or other thing from any person traveling upon or near such [road or highway] street the person so offending shall for every such offense forfeit and pay a sum not exceeding five dollars

If any township commissioner shall connive with any person so asking demanding or contriving to extort money intoxicating drink or any other thing from any person traveling as aforesaid such commissioner shall for every such offense forfeit and pay a sum not exceeding ten dollars

If any person shall stop or obstruct any [public road or highway] street in any township or shall commit any nuisance thereon by felling trees making fences turning the road or in any other way and shall not on notice given by the township commissioners forthwith remove the obstruction or nuisance and repair the damages done to such [road] street such person shall for every such offense forfeit and pay a sum not more than twenty-five dollars Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

All penalties provided for in this section shall be recovered by summary proceedings for the use of the township

(q) Opening Making Amending and Repairing [Highways] Streets and Bridges by Contracts with Taxpayers

Section 2090 Taxpayers' Rights Any [One or More Taxpayers] Taxpayers of any township may acquire the right to furnish all the materials and labor necessary for opening making [amending] and repairing the [public highways] streets and bridges of such township in the manner and under the conditions set forth in this subdivision of this act

Section 2091 Petition to Court To acquire such right [Such Taxpayers] Any Such Taxpayer shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he [she it or they are] is the owner of property assessed and taxes [for road purposes] in such township the approximate number of miles of [public road] streets in such township and the ability of the petitioner [or petitioners] to lay out open make [amend] and repair the [public highways] streets and bridges of such township wholly at his [her its or their] own expense for the ensuing township fiscal year or fiscal period and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 2092 Bond of [Petitioners] Petitioner The [petitioners] petitioner shall with the petition present a bond to the township in the sum of ten thousand dollars or in a sum equal to five hundred dollars for each mile of public [road] street in the township whichever shall be greater with one or more sufficient sureties to be approved by the court conditioned for the faithful performance by said petitioner [or petitioners] of his [her its or their] duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 2093 Notice to Commissioners and Auditors Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the commissioners and auditor or controller of the township at least ten days before the same are presented ,

Section 2094 Contracts Stipulations When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be ordered filed and the court being satisfied of the good faith of the [petitioners] petitioner and the sufficiency of the petition bond and notice shall order and direct the commissioners on behalf of the township to enter into a contract with the petitioner [or petitioners] In such contract the petitioner [or petitioners] shall bind [him her or itself or themselves] himself

First To open make [amend] and repair the [public highways] streets and bridges of the township for the ensuing fiscal year or fiscal period in a lawful and workmanlike manner wholly at the expense of the petitioner [or petitioners] and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

Second To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner [or petitioners] whereby any claim suit or other demand may be set up or recovered against the township

Third To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely To each township secretary the sum of fifty dollars to the auditor or controller of such township the sum of twenty-five dollars to an attorney to be elected by such commissioners as counsel for the township the sum of fifty dollars to each commissioner the sum of one hundred dollars

Section 2095 [Road] Street Tax to Be Levied In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner [or petitioners] the commissioners on behalf of such township shall stipulate that the township will not assess levy or collect any tax for [road] street purposes during the fiscal year for which such contract is made

Section 2096 Inspection The commissioners shall view and inspect the making and repairing of the [roads] streets in such township at least once during every month and satisfy themselves that the [petitioners have] petitioner has fully complied with [their] his contract before final settlement and expiration of contract If at any time the commissioners shall see that any portion of the [roads] streets need repair they shall notify the (petitioners] petitioner to repair the same In case said [petitioners fail] petitioner fails to repair said [road] street within five days after notice the commissioners are empowered to purchase such materials and employ such men as may be necessary to repair such [road] street and charge the same to the [petitioners] petitioner

Section 46 Article XXI and sections 2101 2105 2110 2115 2120 2125 and 2130 are hereby reenacted revised and amended to read as follows

Article XXI

Boundary Roads and [Highways] Streets

(a) Opening Repairing and Improving Streets on Division Line of Townships

Section 2101 Roads or [highways] streets laid out on a line which divides [two townships] a township of the first class and another township shall be opened made kept clear and in repair at the joint and equal charge of such townships Any township necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

When any public road or street is laid out on the line of two townships if the commissioners or supervisors of either township neglect or refuse to join with the commissioners or supervisors of the other township in opening or repairing such road or street the commissioners or supervisors of the other township shall open [amend] and repair the road or street and are authorized to collect a just proportion of the cost of the opening and repairing of such road or street from the township so neglecting or refusing to join in such opening or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of [not less than four dollars and] not exceeding fifty dollars to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

(b) Maintenance of [Roads] Streets between Township and Cities or Boroughs

Section 2105 Whenever any [road or] street is on the boundary line between any township and any city or borough such [road or] street shall be maintained jointly by the city or borough and the township For the purpose of maintaining any such [road or] street the authorities of any such township are hereby directed to enter into agreements with such city or borough providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city or borough and township If any such city or borough and township shall fail or refuse to enter into any such contract or if the city or borough and township cannot agree any taxpayer or the [corporate authorities] township commissioners of the township may present a petition to the court of quarter sessions of the county setting forth the facts and the court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city or borough and the township The action of the court shall be final

(c) [Highway] Street the Centre Line of which is the Dividing Line between Townships and Boroughs or Cities in the Same County

Section 2110 Whenever the centre line of any [highway] street constitutes the dividing line between a township and any city or borough located in the same county the commissioners of the township may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such [highway] street

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with the laws governing the construction of such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the commissioners of the township and the city or borough and the commissioners of the county

The cost of any alteration or improvements shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportions as are agreed upon in the joint contract of the township with the county

(d) [Highway] Street the Centre Line of which is the Dividing Line between Townships and Cities in an Adjacent County

Section 2115 Whenever the centre line of any [highway] street constitutes a dividing line between a township and a city located in an adjacent county it shall be lawful for the township commissioners to enter into a contract with the county in which it is located and with the city providing for the grading curbing macadamizing or paving of the roadway of said [highway] street the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city in compliance with existing laws governing such construction or improvement of such city and in further compliance with plans and specifications to be agreed upon in writing between such city and the commissioners of the county and the township commissioners of the said township The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportions as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for in this section or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for the township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the [highway] street from which the necessity or desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of the said contract as provided for in this section cannot be agreed upon by the said city and the county or township or either or any of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of the said petition duly certified shall be served upon the city or the county and township concerned other than the petitioner with notice of such day as may be fixed by the court for the hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the said court its answer to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it The said court upon the date so fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the said court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed reasonable necessary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper and thereupon the said grading curbing macadamizing or paving of the roadway of such [highway] street shall proceed in accordance with the

decree or order of the said court in the same manner as if the contract or agreement provided for in this section had been entered into and duly executed

(e) Improvement of Street where more than One-Half of Width is in Township Assessment of Property outside Limits

Section 2120 Whenever any street [alley or highway] or road more than one-half the width of which is within the limits of any township shall divide the said township from any other municipality or township located within the same county such street [alley or highway] or road may be improved by the township within which the greater width is located in the same manner as if the said street [alley or highway] or road were entirely located within the limits of said township

The property abutting on the side of said street [alley or highway] or road which is located outside the limits of the township making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street [alley or highway] or road from its center line be assessed for any and all municipal improvements to or on the said street [alley or highway] or road in the same manner as such property would be assessed under this act if it were entirely located within the limits of such township

(f) Assessment of Property outside Limits of Township for Street Improvements

Section 2125 Whenever any street [or alley entirely within the limits of any township] shall divide such township from any other municipality or township located in the same county the property on the side of the street [or alley opposite] outside the line of such township shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such [streets or alleys] street on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within such township for such improvement

(g) Grading Curbing Paving Macadamizing Boundary Streets Et Cetera

Section 2130 Townships may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of streets [and alleys] which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon

In grading paving and curbing or macadamizing any such [streets or alleys] street townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitioners a majority of interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 47 Article XXII and sections 2201 2205 2206 2210 2211 2220 2221 2222 and 2225 of said act are hereby reenacted revised and amended to read as follows

Article XXII

Bridges and Viaducts

(a) As Part of [Road] Street [Highway Lane or Alley]

Section 2201 Whenever in the opening grading or improving of any [road] street [highway lane or alley] in any township it is necessary to erect or construct any bridge and the piers abutments and approaches therefor the same may be erected and constructed by the township as part of such [road] street [highway lane or alley] In any such erection or construction the township may take use and occupy private property All damages shall be awarded and benefits assessed as part of the proceeding to open grade or improve the [road] street [highway lane or alley] of which the bridge is a part

(b) Over Railroads

Section 2205 Power to Construct Townships may build or purchase existing bridges or viaducts over railroads rivers creeks streams and private property or over railroads and any of them or over railroads only whether the bridges or viaducts are wholly or partly within the township limits for the purpose of uniting two or more streets [or highways] or a street and a road or a highway or separate portions of the same street [or highway] Such bridges and viaducts must in all cases cross railroads Such bridges and viaducts and the approaches thereto shall be constructed and the damages in connection therewith paid as provided by the Pennsylvania Public [Service Company] Utility Law

Section 2206 Maintenance Such viaduct or bridge shall be maintained as a township structure and the township structure and the township is authorized to contract with any party interested except the county for the maintenance of the same

(c) Over Marshy or Swampy Grounds Creeks Rivulets Gullies Canals and Railroads

Section 2210 Power to Make and Maintain The commissioners of townships in making and repairing the [roads] streets shall make and maintain within their township sufficient bridges over all small creeks rivulets deep gullies canals and railroads where the same is necessary for the ease and safety of travelers

Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

Section 2211 Damages In the constructions and maintenance of such bridges all damages shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the bridge is a part

(d) Over Streams Railroads and Canals on Township Boundaries

Section 2220 Bridges on Division Line of Townships Where a small creek or a railroad or canal over which a bridge is necessary is on the boundary line of two townships the bridge shall be built and maintained at the joint and equal expense of the townships by their respective commissioners or supervisors in the manner directed by this act in the case of [public] streets or roads which may be the division line of townships

Section 2221 Bridges between Townships and Municipalities Whenever a creek railroad or canal over which a bridge is necessary is on the division line of a township and a municipality the township shall unite with such municipality in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

Section 2222 Bridges Over Railroad or Canal If a bridge is built over such boundary railroad or canal by virtue of the provisions of the preceding section of this act such bridge shall not obstruct the railroad or canal over which it is built Nothing in said section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

(e) Maintenance Repair and Rebuilding of Bridges Built by County

Section 2225 Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered on record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necessary by the township or townships in which or on the boundary line of which it is located without rendering the county liable for the same

Section 48 Article XXIII and sections 2301 2302 2303 and 2304 are hereby reenacted revised and amended to read as follows

Article XXIII

Sidewalks

Section 2301 Power to Lay Out Ordain and Establish

Grades Townships may lay out ordain and establish sidewalks along any [public road] street [lane or alley] including State [and State-aid] highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the street or highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 2303 Paving and Curbing Sidewalks Townships may upon such notice as may be provided by ordinance require owners of property abutting on any [public road] street [lane or alley] including State [and State-aid] highways and county roads to construct pave curb repave and recurb the sidewalks along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply with such notice or without notice to the property owners as above provided the townships shall in either case have power to cause the same to be done by the township and to levy and collect the cost thereof from such owners of property abutting such sidewalk

The cost of any such grading paving curbing repaving and recurbing shall be a lien upon the premises from the time of the commencement of the work which date shall be fixed by the township engineer and shall be filed with the township secretary Any such lien may be collected by action in assumpsit or by lien filed in the manner provided by law for the filing and collection of municipal claims

The cost of any such paving curbing repaving and recurbing may in any case be borne in whole or in part by the township

No sidewalks shall be established and constructed upon any State highway without the consent of the State Department of Highways or upon any county road without the consent of the county commissioners

Section 2304 Repair of Sidewalks The owner of the abutting property shall keep the sidewalk together with any portion of his property paved and used as a sidewalk or public walk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage and free of any merchandise placed there for display if the removal thereof is ordered by the township commissioners If the owner of any property neglects to perform the duty so required of him the township commissioners may serve written notice upon him requiring him to do what is necessary If such property owner fails to comply with the requirements of such notice within thirty days from the date of its service the township commissioners may make the necessary repairs or remove any obstruction The cost of the same together with a penalty of ten per centum shall be paid by the delinquent property owner and may be collected by action of assumpsit or the township commissioners may file a municipal lien against the property The notice provided for in this section may be served on the property owner by leaving the same at his place of residence or if he has no residence in the township then by posting the same on the premises and mailing a copy thereof to the owner at his last known address

Section 49 Article XXXIV and Sections 2401 2401.1 2402 2403 2404 2405 2406 2407 2408 2409 2410 2415 2420 2425 2430 2431 2435 2436 2440 2441 and 2445 of said act are hereby reenacted revised and amended to read as follows

Article XXIV

Sewers and Drains

(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and Rates Disposal of Sewage Assessment of Cost of Construction

Section 2401 Power to Establish and Construct Sewers and Drains Require Connections Sewer Rentals Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public [roads] streets and highways of the township as seem advisable to the commissioners The township commissioners may permit and where necessary for the public health by ordinance require any owner of property abutting on or adjoining any street [or alley] or highway in which is a sewer to make connections with such sewer or drainage in such manner as the commissioners may order for the purpose of discharge of such drainage or waste matter as the commissioners may specify The township commissioners may by penalties enforce any regulation they may ordain with reference to any sewer or drainage connections All connections required shall be uniform All persons so connecting may be required to pay in addition to the cost of making such connections a monthly or annual rate prescribed by ordinance Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public [Service Company] Utility Law

Section 2401.1 Sewer and Drainage Systems Constructed by any Municipality Authority Connection by Owners Enforcement Whenever a sewer or drainage system is established or constructed by any municipality authority within a township [of the first class] the township commissioners shall be empowered by ordinance to compel all owners of property abutting on or adjoining any street or [alley] highway in which such sewer or drainage system is located to make connection with such sewer or drainage system in such manner as they may order for the purpose of discharge of such drainage or waste as they may specify The township commissioners may by ordinance impose penalties to enforce any regulation or order they may ordain with reference to any sewer or drainage connections

Section 2402 Location of Sewers on Private Property Where it is reasonably impracticable in the judgment of the commissioners in any part of such system to carry such sewers or drains along the lines of public [roads] streets or highways the commissioners may locate and construct so much of the same as is necessary through private lands and may acquire the necessary land or right of way for such purpose by gift purchase or by the exercise of the right of eminent domain

Section 2403 Treatment Works and Facilities Therefor The commissioners shall make the necessary provisions for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalies and other corporations or persons to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein within the corporate limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of sewer mains drains or [disposal plants] treatment works including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewage or drainage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Secretary of Health in accordance with [the provisions of the act of April twenty-second one thousand nine hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health" and of "The Administration Code"] law

Section 2404 Entry on Lands to Mark Sewer Routes Damages In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public roads streets or highways or for so much land as is required for the disposition of the sewage or drainage the commissioners may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for the disposition of such sewage or drainage and occupy the said land for such purposes For all damage done or suffered or which accrues to the owner or

owners of such land by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security Such damages shall be determined by viewers in the manner provided in this act for eminent domain proceedings

Section 2405 Enforcement of Judgment for Damages The damages as awarded when the report of viewers is finally confirmed shall be entered as a judgement and if the same is not paid within thirty days after the entry thereof execution to enforce the collection thereof may be issued as in other cases of judgment against townships

Section 2406 Cost of Construction How Paid The cost of construction of any system of sewers or drains constructed by the authority of this subdivision of this act may be charged upon the properties accommodated or benefited thereby to the extent of such benefits or may be paid for wholly or partially by general taxation Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund

Section 2407 Sewer Districts Whenever a sewer system is constructed by a township for the accommodation of a certain portion only of the township the commissioners of such township may constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case of division into several districts the commissioners shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts and declare and establish such apportionment by ordinance No district shall becharged with more than its due proportion of the cost of the main sewers pumping stations treatment works et cetera used jointly by more than one district The aggregate amount charged on property in any such district shall not exceed the amount of such estimate Where the whole of the township is accommodated by the system it may also be treated as a single district or divided into districts and be subject to the foregoing provisions

Section 2408 Manner of Assessment The charge for any such sewer system construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accuring to it and legally assessable

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits The amount of the charge on each property shall be ascertained as provided in this act for the assessment of benefits

When a township is divided into sewer districts the assessment in each district may be by different methods

Section 2409 Procedure for Assessment of Benefits In all cases where the township commissioners shall select method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the sewer system to either ordain assessments by frontage or present a petition for appointment of viewers taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of any ordinance levying an assessment under the method provided by subsection (a) of said section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the said court shall thereupon appoint three disinterested persons from the county board of [county] viewers neither of whom shall be a resident of that portion of the township which is accommodated by the sewer in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any sewer district shall not exceed the amount charged in such district for its share of the cost of the sewer system construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township presented within three months after the adoption of an ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the commissioners and any proceedings thereunder shall be null and void

Section 2410 Lien for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township commissioners to file municipal liens for the assessments covered by such ordinance or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The commissioners shall also make out bills for the amounts charged against each property which shall be forthwith sent to all property owners residing in the township and mailed to all such owners residing elsewhere whose address is known The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

Section 2411 Assessment of Property Outside Limits of Townships for Sewers Whenever any sewer is located in any street dividing such township from any other municipality or township located in the same county the property on the side of the street outside the line of such township for a depth of one hundred fifty feet shall be asssessed for sewers on such street on which property shall abut such assessment shall be made in the ame manner and in the same proceeding as is used for the assessment of property within the township for such sewers

(b) Acquisition of Sewer System from Private Interests Distribution of Costs

Section 2415 Any township in which any person firm or corporation or other township or municipal corporation is maintaining sewers and culverts with the necessary inlet and appliances for surface and under surface and sewage drainage may become the owner of such sewers culverts inlet and appliances by paying therefor the actual value of the same at the time of the taking by the township

In case the commissioners of the township cannot agree with the owners of such sewers as to the price to be paid therefor the commissioners may enter upon and take possession of such sewers culverts inlets and appliances For all damage done or suffered or which accrues to the owner or owners of such sewer by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security such damages to be determined by viewers in the manner provided by this act for eminent domain proceedings If any

sewer or sewer system is acquired by purchase under the provisions of this section the cost of such acquisition may be distributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act

(c) Contracts With Individuals or Corporations for Construction and Maintenance of Sewer and Drainage Systems

Section 2420 In any case where under the authority or section two thousand four hundred and one of this act a system of sewage and drainage covering any township in whole or in part shall have been approved and authorized by ordinance the commissioners may enter into a contract with any responsible individual or individuals or corporation for the construction of such system of sewage or drainage at the expense of such individual or individuals or corporation He they or it shall be entitled under such contract to exercise all the powers of the township in the construction maintenance and operation of such system of sewage or drainage with right to collect such charges in connection therewith as the commissioners prescribe in as full manner as the same might have been collected by the township or the commissioners In such contract the commissioners shall reserve to the township the right at any time or after a prescribed time to itself take possession of such system of sewage and drainage and its appurtenances at a price and upon terms to be fixed in the contract

Nothing in this section shall be construed to repeal or modify any of the provisions of the Pennsylvania Public [Service Company] Utility Law

(d) Sewers tand Drains in Streets [or Alleys] or Over Private Property Assessment of Costs of Construction According to Benefits

Section 2425 Townships may construct sewers and drains in any street or [alley] highway or through or on or over private property The costs damages and expenses of the construction of any such sewers or drains may be paid for wholly or partially by general taxation or may be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on properties of such character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than its proportion aforesaid of the entire cost and expense of such construction

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits The amount of the charge on which property shall be ascertained and the rights of taxpayers conferred in connection therewith as provided in this act for the assessment of damages and benefits by viewers

(e) Sewers Under State and County Highways

Section 2430 Consent Necessary Townships may construct sewers and drains in and under any county or State highway within the township boundaries In case of the construction of sewers upon county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers upon any State highway the consent of the State Department of Highways shall first be obtained

Section 2431 Assessment of Cost Whenever sewers have been or shall be laid or constructed by any township in and under such highways such township may ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders by viewers in accordance with provisions of this act relating to the assessment of damages and benefits by viewers

(f) Connecting with Sewer of Adjoining Municipality

Section 2435 Connection by Agreement or Petition Appointment of Viewers Whenever any township shall desire to connect with the existing sewer of any adjacent municipality the two municipalities so joining may enter into an agreement for usch purposes or if no agreement has been reached between such township and the adjacent municipality then such township shall proceed in the following manner

An application shall be made by the board of commissioners to the court of quarter sessions setting forth the desire of the township to connect with the sewer of the municipality If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall in the manner provided by this act for such proceedings assess the proportionate part of the expense of building the original sewer upon the petitioning township and shall fix the proportion of the expense for repairs which the municipality and such township shall thereafter bear and determine all other questions which are likely to arise in connection therewith

Section 2436 Notice of Contemplated Construction Protests by Property Owners No sewer system of sewers or drains shall be constructed under the provisions of this subdivision unless a resolution of the board of commissioners authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated one a week for three successive weeks If within twenty days after the last publication or at any time during the period of publication taxpayers of the township whose property valuation within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer sewer system or drain then the construction authorized by such resolution shall not be undertaken or proceeded with

(g) Joint Sewers and Drains

Section 2440 Building Joint Sewers (a) Townships may jointly with [municipalities] cities boroughs or other townships [or both] build and construct sewers including trunk-line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement as is provided in the case of townships by sections two thousand four hundred eight two thousand four hundred nine and two thousand four hundred ten of this act Any portion of the cost of such an improvement not assessed or not assessable shall be paid by the respective townships cities and boroughs joining as may be agreed upon

(b) The townships cities and boroughs joining or contemplating joining in any such improvement in order to facilitate the building of the same and securing preliminary surveys and estimates may by [resolution or] ordinance provide for the appointment of a joint sewer board composed on one representatice from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The [joint sewer] board shall organize by the election of a chairman [vice-chairman] secretary and treasurer The several townships cities and boroughs may in the [resolutions and] ordinances creating the [joint sewer] board authorize the board to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough is to pay The members of the [joint sewer] board shall receive such compensation for attending meetings of the board as shall be fixed in the budget prepared by the board for

submission to and adoption by the several townships cities and boroughs as hereinafter provided and the budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars ($250) per year and no member shall be paid unless he actually attends and the fee for each such attendance shall be stipulated and the members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent

(c) The [joint sewer] board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and plan the future development of the system so as to conform to a general plan [assured and safeguarded] It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several townships cities and boroughs defining the advisory and administrative powers of the board setting forth the consents of the several townships cities and boroughs to the proposed improvement the manner in which preliminary and final plans specifications and estimates for the proposed improvement shall be prepared and adopted how proposals for bids shall be advertised and contracts let the manner in which the costs of the improvement and other incidental and preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and all such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the townships cities and boroughs proceeding with the improvement

(d) In any case where it shall be necessary to acquire appropriate injure or destroy private property [(] lands property or material [)] to build any such joint sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the township city or borough where such property is located In any case where it shall be necessary to acquire injure or destroy property in any territory not within the limits of any of the townships cities or boroughs joining in the improvement then the right of eminent domain shall be vested in any township city or borough adjacent to such territory where such property is located Damages for any property taken injured or destroyed shall be assessed as provided by the general laws relating to the townships cities and boroughs exercising the right of eminent domain and shall be paid by the several townships cities and boroughs joining in the same proportion as other costs of the improvement

(e) Each of the townships joining in any such improvement shall have power to incur or increase its indebtedness not exceeding the constitutional limits for the purpose of paying its share or portion of the cost of such improvement in the manner now provided by law for the of indebtedness

Section 2441 State Permit No such sewer or sewage treatment plant shall be constructed until plans and specifications have been submitted to the [State Department of Health and approved in accordance with provisions of the act of April twenty-second one thousand nine hundred and five (page two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the Public Health"] Sanitary Water Board and approved in accordance with existing laws

(h) Non-Debt Revenue Sewer Bonds

Section 2445 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any township pledge in whole or in part of the annual rentals or charges may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws

Section 50 Article XXV and Sections 2501 to 2507 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXV

Collection by Instalment of the Cost of Street Curb Sidewalk and Sewer Improvements

Section 2501 Ordinances for Instalment Payments When any township shall authorize the grading subgrading or the permanent paving and improvement of any streets [or alleys] or parts thereof or the construction of curbs sidewalks or sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot front rule or according to benefits the borad of commissioners may provide in the ordinance that the assessment or any of them may be paid in semiannual or annual instalments and it may also provide that sewer assessments may be paid in twelve monthly or in quarterly instalments Such instalments shall bear interests at a rate not exceeding six per centum to be fixed by the board of commissioners in the ordinance [from the date of the commencement of the work or the construction of such improvement] commencing at such time as may be fixed by ordinance

Section 2502 Issue of Bonds In order to provide for the payment of the cost and expenses of such improvement the board of commissioners may from time to time issue bonds in sums equal to the amount of assessments The bonds shall bear the name of the street [or alley] to be improved or the curbs sidewalks or sewer to be constructed [and shall be payable at periods not exceeding ten years from the date of their issue to be provided in the ordinance directing the improvement]

Section 2503 Sale of Bonds Interest The bonds shall bear interest at a rate not exceeding six per centum per annum payable semiannually or annually as the ordinance shall direct and shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of such improvement

Section 2504 Entry of Liens Liens to secure the assessments or any part thereof remaining due shall be entered in the prothonotary's office of the county in the same form

and collected in the same manner as municipal claims are filed and collected Provided however That when any person has accepted the monthly or quarterly payment plan for any sewer assessment as herein provided no lien shall be filed for such assessment except upon a default in payment as provided in section two thousand five hundred six as herein amended

Section 2505 Assessments Where Payable Such assessments shall be payable at the office of the township treasurer or such other place as the ordinance shall provide in semiannual or annual instalments and in the case of sewer assessments in monthly or quarterly instalments with interest at the rate provided from the date from which interest is computed on the amount of the assessments The moneys so received by the township shall be applied to the payment of such bonds and interest thereon exclusively

Section 2506 Default in Payment of Instalment In case of default in the payment of any semiannual or annual instalment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the township solicitor shall proced to collect the same under the general laws relating to the collection of municipal claims

In case of default in the payment of any monthly or quarterly instalment and interest of a sewer assessment for a period of thirty days after the same shall become due a lien shall be filed for the balance due on such assessment and interest accrued thereon In no case shall a township lose its right to file a lien for any sewer assessment by reason of its failure to file the same within the time fixed by general law relating to the filing of municipal liens for any sewer assessment which is being paid under the instalment plan herein provided and if any lien is filed after the time fixed by said general law for the filing because of default in the payment of any instalment such delayed filing is hereby validated and the lien of such assessment claim so filed shall be in full force and effect from the time of such filing

Section 2507 Payments in Full Subdivisions of Property Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semiannual or annual payment and such payment shall discharge the lien If any owner shall subdivide any property after the lien attaches he may in like manner discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable

Section 51 Article XXVI and Sections 2601 and 2602 of said act are hereby reenacted revised and amended to read as follows

Article XXVI

Revolving Fund for Street and Sewer Improvements

Section 2601 Special Tax Bond Issue The several townships are hereby empowered to levy and collect annually a tax upon all property taxable for township purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a revolving fund to be used by such township in making permanent street sidewalk or sewer improvements and to pay contract prices for permanent street sidewalk or sewer improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining or abutting thereon by such townships under existing laws Any such revolving fund may also be begun by funds raised by the issuance of bonds of the township in the manner provided by law for the making of permanent street sidewalk and sewer improvements

Section 2602 Repayments into Revolving Fund When the cost and expense or any part thereof of the construction of any permanent street sidewalk or sewer improvement which has been made under existing laws and which has been aided in its construction from the said revolving fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be applied to the credit of the said revolving fund to the extent of the withdrawal therefrom for such purpose

Section 52 Article XXVII and Sections 2701 and 2705 inclusive and Sections 2710 2711 and 2712 of said act are hereby reenacted revised and amended to read as follows

Article XXVII

Water Supply and Waterworks

(a) Acquisition Construction and Maintenance

Section 2701 Contract with Water Companies and Municipality Development of Own Water Supply Townships may contract with any adjoining municipality owning a waterworks system or with a private company for a supply of water for public and private uses to be delivered into the lines of the township at or near or within the boundaries thereof

This section does not prohibit a contract between a township and a municipality or a private company for the supply of water in territory being supplied by any other private company A township shall have full power by contract to develop an independent supply of water at any time and it is not required to purchase such water supply as the township shall need from either an adjoining municipality or private company

Section 2702 State Permit A township making such contract may by ordinance provide and regulate and protect a system of distribution of the water after a certified copy of the plans and surveys for such system with a description of the sources from which it is proposed to derive the supply are filed [in] with the Department of Health and Water Power Resources Board and [a] written [permit] permits for the construction of such system obtained [from the Secretary of Health] in accordance with existing law

Section 2703 Occupation of Highways In providing for regulating and protecting and extending its system of distribution of water the township may occupy [public] streets roads or highways and may take injure or destroy private property No highway under the jurisdiction of the State Department of Highways shall be occupied until a permit therefor has been obtained from the State Department of Highways Property belonging to or used as a cemetery or a place of public worship or any public or parochial school or other educational or charitable institution or seminary shall not be taken injured or destroyed by virtue of this [act] section

Section 2704 Property Damages Bond by Township If the compensation and damages arising from such taking injury or destruction of private property cannot be agreed upon the township may tender its bond as security to the party claiming or entitled to any damages or to the attorney or agent of any absent person or to the agent or other officer of a corporation or to the guardian or committee of any person under legal incapacity The condition of the bond shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon or assessed in the manner provided in the following sections of this article

In case the party or parties claiming damages refuse or do not accept the security so tendered the township shall give the party his or their agent attorney guardian or committee at least ten days' written notice of the time when the same will be presented to the court of common pleas for approval

Thereafter the township may present its bond to the court and when approved the bond shall be filed in court for the benefit of those interested Recovery may be had thereon for the amount of damages finally determined if the same is not paid or cannot be collected by execution on the judgment in the issue formed to try the question Upon the approval of such security the township may enter into possession

Section 2705 Appointment of Viewers In case the compensation for damages accruing from such taking

injury or destruction has not been agreed upon by parties in interest the court of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested in the property shall appoint three members of the board of viewers of the county who shall assess the damages as provided in this act for eminent domain proceedings

(b) Construction Acquisition and Maintenance of Waterworks in Connection with [Boroughs] Municipalities

Section 2710 Joint Maintenance of Works with [a Borough] Municipality Any township may unite with a city borough or township in the construction or acquisition and maintenance of works for the supply of water

Section 2711 State Permits The construction of such waterworks [as provided for in the preceding section shall be after plans for such waterworks have been filed with the Secretary of Health and a permit issued and after a permit has been issued by the Water and Power Resources Board for the construction of any dam in accordance with existing law] shall be commenced only after plans for such waterworks have been filed with Department of Health and Water and Power Resources Board and permits issued in accordance with law

Section 2712 Commission of Waterworks Whenever any township unites with a [borough] municipality in the construction or acquisition and maintenance of waterworks the commissioners of such township after the passage of an ordinance or resolution to that effect may join with the councils of such [boroughs now authorized by section two thousand four hundred and sixty-two of the General Borough Act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) so to join] other municipality and apply to the court of common pleas for the appointment of a commission of waterworks Such commission shall be composed of citizens of each of the [boroughs] municipalities and townships so uniting

Section 53 Article XXVIII and Sections 2801 to 2806 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXVIII

Public Buildings

Section 2801 Town Hall The commissioners of townships may procure a suitable lot of ground and [or] erect a suitable building thereon for a townhouse in which to hold elections store road machinery hold meetings of township officers and for other township uses For the purpose of procuring a lot of ground and erecting a town hall the commissioners may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor

Section 2802 Unloading and Warehouses The commissioners may purchase or lease land adjacent to the tracks or right of way of any railroad or street railway within or without the limits of such township and erect thereon suitable unloaders warehouses or other buildings as may be necessary for unloading handling and storing road materials and supplies

Section 2803 Appropriation of Property Townships may enter upon and appropriate private property and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of a town hall fire house lockup and such other public buildings as are necessary for public purposes

No land or property used for any cemetery burying ground public or parochial school educational or charitable institution seminary or place of public worship shall be taken or appropriated by virtue of any power contained in the preceding [section] paragraph

Section 2804 Ordinance of Commissioners Whenever the commissioners desire to acquire enter upon take use and appropriate private property or lands for public buildings they shall declare such intention by an ordinance duly enacted

Section 2805 Assessment of Damages The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be considered ascertained determined awarded and paid in the manner provided in this act for eminent domain proceedings

Section 2806 Use of Public Lands Acquired for Other Purposes Whenever the commissioners desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass an ordinance declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of such township for the purpose of securing any person or persons who may be injured by the taking of such lands The court shall thereupon direct notice to be given by publication in at least two newspapers of the county If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same The court may increase the amount of the bond and hear and determine all exceptions that are filed against the approval thereof Upon the approval of such bond the commissioners may enter upon and take such lands for the purposes of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damages by reason of the taking of the lands shall remain on file for their use and benefit In case the compensation for damages accruing from any such appropriation has not been agreed upon by the parties in interest the same may be assessed by viewers in accordance with the provisions of this act for the assessment of damages in eminent domain proceedings

Section 54 Article XXIX and Sections 2901 2910 2911 and 2912 of said act are hereby reenacted revised and amended to read as follows

Article XXIX

Licenses and License Fees

(a) Transient Retail Merchants

Section 2901 Every township shall have power by ordinance to regulate and license each and every transient retail business within such township for the sale of goods wares [and] or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient retail business and to enforce such ordinances by penalties not exceeding three hundred dollars [and] or by other appropriate means The amount of any such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Nothing contained in this section shall be construed to apply to (1) farmers selling their own produce or (2) to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose or (3) to any manufacturer or producer in the sale of bread and bakery products meat and meat products or milk and milk products

(b) Restrictions

Section 2910 Agents for Licensed Dealers Not to Be Licensed It shall be unlawful for any township to levy any license fee or merchandise tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or merchantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to other than dealers or merchants

Section 2911 Insurance Agents and Brokers Not to Be Licensed It shall be unlawful for any township to impose or collect any license fee upon insurance com-

panies or their agents or insurance brokers authorized to transact business under the Insurance Laws of this Commonwealth

Section 2912 License Fees on Residents Not to Exceed Those on Nonresidents It shall be unlawful for any township to impose by ordinance or exact or collect under the provisions of any ordinance heretofore or hereafter enacted any license tax or fee upon or from any manufacturer or the agent representative or employ of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or dealer or the agent representative or employe of any manufacturer who is a nonresident of the Commonwealth for soliciting orders for or selling any goods merchandise or ware manufactured without the Commonwealth

Section 55 Article XXX and Sections 3001 and 3013 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXX

Parks Recreation Centers Shade Trees and Forests

(a) Public Parks Playgrounds and Recreation Centers

Section 3001 Right of Acquisition Townships may by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary

Section 3002 Limitation of Expenditures No appropriation purchase or lease shall be made pursuant to the preceding section of this article whereby any township shall obligate itself to raise by taxation in the aggregate any sum exceeding one-half mill annually on the dollar on the assessed valuation of all property offices professions and persons in the township without the consent of a majority of the electors obtained as hereinafter provided Such limitation of obligation shall only apply to funds which it is necessary to raise by taxation and not to funds unappropriated which may at the time of the lease or purchase be in the township treasury either derived from taxes in previous years or from gifts or donations

Section 3003 Submission of Question to Voters Whenever any township shall by ordinance provide for the appropriation purchase or leasing of private property for the purposes aforesaid and the amount required by taxation in any year shall exceed one-half mill on the dollar of valuation as provided in the preceding section the township commissioners shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the township at the municipal or general election next occurring after the expiration of ninety days from the date of such ordinance

Section 3004 Notice of Election The township commissioners shall give notice of the proposed submission of such question by weekly advertisements in not more than three newspapers of general circulation in the township for a period of three weeks immediately preceding the day of election

Section 3005 Form of Ballot For the purpose of having such question appear upon the ballot the township commissioners shall certify the question to the county [commissioners] board of elections at least [twenty-one] sixty days before the day of the election The question may be stated substantially as follows

Shall the township of ..... acquire by purchase or condemnation or both at a price not exceeding ..... dollars (or by lease for not more than ..... years at an annual rental of not more than ..... dollars) property for the purpose of making (or of enlarging) public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers within the locality bounded by .....

The board of commissioners may at their discretion omit the designation of the locality

Section 3006 Result of Election Resubmission of Question Limited The result of the vote on such question shall be ascertained and certified in the same manner as the vote on the election of officers of the township No such question determined negatively by the voters shall be again submitted until one municipal or general election shall intervene

Section 3007 Liability of Township for Property Taken The appropriation of private property for the purpose of making enlarging and maintaining [public parks parkways and playgrounds] recreation places is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the township raised by taxation shall be pledged as security

Section 3008 Appointment of Viewers Whenever any township appropriates private property under the provisions of this article and is unable to agree with the owners or lessees for the amount of compensation or whenever by reason of the absence or legal incapacity of any owner or lessee no such compensation can be agreed upon the courts of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested shall appoint three viewers from the county board of viewers who shall proceed to assess the damages as provided in this act for eminent domain proceedings

Section 3009 Power to Maintain Park and Recreation Boards Townships may improve maintain and regulate [public parks parkways playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers] recreation places

The authority to supervise [and] maintain [parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] and regulate recreation places may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The [local authorities of any such township] township commissioners may equip operate and maintain the [parks playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers] recreation places as authorized by this act [Such local authorities] and may for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 3010 Park or Recreation Boards Appointment and Personnel of If the township commissioners shall determine that the power to equip operate [and] maintain [parks playgrounds playfields gymnasiums public baths swimming pools or recreation centers] and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the [respective local authorities] township commissioners under this act Such boards when established shall consist of five persons The members of such boards shall be appointed by the commissioners of such township [and] except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township The members of the board shall serve for terms of five years or until

their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be filled for the unexpired term [and shall be filled] in the same manner as original appointments

Section 3011 Organization of Boards The members of a park board or recreation board established pursuant to this [act] article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this [act] article Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 3012 Expenses of Operation and Maintenance All expenses incurred in the operation of such [parks playgrounds playfields gymnasiums swimming pools public baths and indoor recreation centers] recreation places established as herein provided shall be payable from the treasury of such township The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers] recreation places

Section 3013 Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetera Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation places Any school district may join with the township in equipping operating and maintaining recreation places and may appropriate money therefor

Section 56 Said act is hereby amended by adding to Article XXX Section 3014 to read as follows

Section 3014 Issue of Bonds The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for recreation places and the equipment thereof

Section 57 Article XXX and Section 3020 Sections 3021 to 3031 inclusive and Sections 3040 to 3048 inclusive of said act are hereby reenacted revised and amended to read as follows

(b) Shade Tree Commission

Section 3020 Right of Establishment Townships may by ordinance establish a commission to be known as the Shade Tree Commission [of such township]

Section 3021 Personnel of Commission Appointment Terms Vacancies The commission shall be composed of three [freeholders] residents of the township who shall be appointed by the township commissioners and shall serve without compensation

Whenever a shade tree commission is established by any township the township commissioners shall appoint [three freeholders] one member for a term of three years one for a term of four years and one for a term of five years

On the expiration of the term of any shade tree commissioner a successor shall be appointed by the township commissioners to serve for a term of five years

Vacancies in the office of shade tree commissioner shall be filled by the township commissioners for the unexpired terms

Section 3022 [Acceptance of Provisions of Act] Powers may be Vested in Park Commission Whenever in any township there exists a commission for the care of public parks the township commissioners may by [a majority vote accept the provisions of this act so far as they relate to the subject of the shade tree commission and thereafter] by ordinance confer on the park commission [shall have] all the powers and [be subject to] all the duties prescribed by this article for the shade tree commission

Section 3023 General Powers of Commission The commission shall have exclusive custody and control of the shade trees in the township and is authorized to plant remove maintain and protect shade trees on the public highways in the township

Section 3024 Hiring of Employes Legislative Power of Commission The commission may with the approval of the township commissioners employ and pay such superintendents engineers foresters tree wardens or other assistants as the proper performance of the duties devolving upon it shall require and may make publish and enforce regulations for the care and protection of the shade trees of the township No such regulation shall be in force until it has been approved by the township commissioners and until it has been published at least twice in [one or] not more than two newspapers of general circulation in the township and if no newspapers are published in the township then in such newspapers circulating in the township

Section 3025 Report of Commission The shade tree commission shall annually report in full to the township commissioners its transactions and expenses for the last fiscal year of the township The park commission [in townships accepting this article] may incorporate such transactions and expenses in its regular report to the township commissioners

Section 3026 Notice of Commission's Activities Planting or Removal of Shade Trees Whenever any shade tree commission or park commission [in townships accepting these provisions] proposes to plant transplant or remove shade trees on any street or highway notice of the time and place of meeting at which such work is to be considered shall be given in [one or more] not more than two newspapers of general circulation in the township and if no newspapers are published in the township then in such newspapers circulating in the township once a week for two weeks immediately preceding the time of the meeting The notice shall specify in detail the streets or highways or partions thereof upon which trees are proposed to be so planted replanted or removed

Section 3027 Landholders' Liability for Costs The cost of planting transplanting or removing any shade trees in the streets or highways of the township of the necessary and suitable guards curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done

The amount each [freeholder] owner is to pay shall be ascertained and certified by the commission to the township commissioners and to the township treasurer

Section 3028 [Notice to and Collection of Costs from Property Holders] Assessments Liens Upon the filing of the certificate with the township commissioners the township secretary shall cause thirty days' written notice to be given to the persons against whose property an assessment has been made The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied by a copy of the certificate

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the township commissioners and if not paid within the time designated in the notice a claim may be filed and collected by the township in the same manner as municipal claims are filed and collected

Section 3029 [Procedure Costs Paid] Maintenance by Township Funds For The cost and expenses of caring for such trees after having been planted and the expense of publishing the notice [provided in the preceding section] hereuntofore provided shall be paid by the township

The needed amount shall each year be certified by the shade tree commissioners to the township commissioners

and shall be drawn against as required by the commission in the same manner as money appropriated for township purposes

The township commissioners instead of levying the tax authorized under the general tax levying powers of this act may provide for the expense of caring for trees already planted and of publishing the notice [required by the preceding section] by appropriations equal to the amount certified to be required by the shade tree commission

Section 3030 Penalties The commission to the extent as may be provided by ordinance of the township may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

Section 3031 Disposition of Penalties All penalties or assessments imposed under this article shall be paid to the township treasurer to be placed to the credit of the shade tree commission subject to be drawn upon by the commission for the purposes of the preceding sections

(c) Forests

Section 3040 Right of Acquisition of Forest Lands Townships may acquire by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [Secretary] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

Section 3041 Approval of [Secretary] Department of Forests and Waters Before the passage of any ordinance for the acquisition of land to be used as township forests the township commissioners shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

Section 3042 Ordinance and Notice Whenever the township commissioners deem it expedient to acquire any lands for forests they shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage]

Section 3043 Appropriation for Acquisition All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for townships for township purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

Section 3044 [Control of Forests by Secretary of Forests and Waters] Rules and Regulations Upon the acquisition of any forests or lands suitable for forests the township commissioners shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and [the secretary] the commissioners shall publish such rules declare the uses of the forest in accordance with the intent of this [article] subdivision and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

Section 3045 Appropriation for Maintenance All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the township treasury to be used for general township purposes

Section 3046 Use of Township Forests [as Outing Grounds] Township forests may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration as municipal forests and rules adopted by the township commissioners not inconsistent with law or the regulations of the department

Section 3047 [Disposition of Township Forests Procedure Ordinance Submission of Question] Ordinance of Sale Whenever the township commissioners deem it expedient to [alienate] sell or lease any forest or part thereof or products therefrom they shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage] No ordinance for the sale or lease of a municipal forest or part thereof shall be effective in legalizing such [alienation] sale or lease until it has been approved by a majority vote of the people at the next ensuing general municipal or primary election

Section 3048 Appropriation of Moneys to Forestry Organizations The commissioners of any township may appropriate moneys from their respective treasuries to any forest protection association cooperating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work

Section 58 Article XXX-A and Sections 3061 to 3068 of said act are hereby reenacted revised and amended to read as follows

Article XXX-A

Land Subdivisions

Section 3061 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets with proposed streets parks or other features of the township's official plan of streets [and alleys] for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township commissioners are hereby empowered to adopt by ordinance [or resolution] land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 3062 Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard [At least fifteen days' notice] Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township once a week for two successive weeks

Section 3063 Subdivision Control Where subdivision regulations have been adopted under the authority of this article no subdivision of any lot tract or parcel of land shall be [effected] affected no street [alley] sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

Section 3064 Definition of Subdivision Subdivision may be defined as the division of a single lot tract or parcel of land or a part thereof into two or more lots tracts or percals of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agriculture purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specified in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant And party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets [and alleys] and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township commissioners shall either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township commissioners may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township commissioners may alter any subdivision plan and specify changes or modifications therein which it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Commissioners Refuse Approval In any case where the board of township commissioners disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the premises The court shall designate the [matter] manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of the board of township commissioners or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded [Streets] Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May be Noted on Record Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution or until it has been condemned for use as a public street park or other improvement

Section 3067 Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this article no lot in a subdivision may be sold no permit to erect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township commissioners in connection therewith have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township commissioners may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit or erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 3068 Penalty Any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street [or alley] sanitary sewer storm sewer or water main for public use or travel or for the common use of occupants of buildings abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 59 Article XXXI and Sections 3101 to 3110 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXXI

Zoning

Section 3101 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships the boards of township commissioners are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair main-

tenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purpose and may also establish and maintain building lines and set back building lines upon any or all public streets [roads] and highways [lanes and alleys]

Section 3102 Districts (a) For any or all said purposes the board of township commissioners may divide the township into districts of such number shape and area as may be deemed best suited to carry out the purpose of this [act and within] article Within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district

Section 3103 Purpose in View Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air and to prevent the overcrowding of land to avoid undue concentration of population to facilitate the adequate provision of transportation water sewerage schools parks and other public requirements Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such township

Section 3104 Methods of Procedure The board of township commissioners of such township shall provide by ordinance the manner in which such regulations and restrictions and the boundaries of such districts shall be determined established and enforced and from time to time amended supplemented or changed However no such regulation restriction or boundary shall become effective until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard [At least fifteen days' notice] Notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such township [of the first class] once a week for two weeks

Section 3105 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty per centum or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear or in the front or to either side thereof extending one hundred feet therefrom [or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots] Such amendments shall not become effective except by the favorable vote of three-fourths of all the members of the board of township commissioners [of such township] The provisions of the previous section relative to public hearings and official notice shall apply equally to all changes or amendments

Section 3106 Zoning Commission In order to avail itself of the powers conferred by this article the board of township commissioners shall appoint a commission of five citizens to be known as the Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report and such board of township commissioners shall not hold its public hearings or take action until it has received the final report of such commission Where a township planning commission exists it may be appointed as the Zoning Commission

Section 3107 Board of Adjustment Such board of township commissioners may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustments shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this [act] article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine Such chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer [department board or bureau] of the township affected by any decision of the administrative officer Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of [record] common pleas of the county on application on notice to the officer from whom the appeal is taken and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by an administrative official in the enforcement of this [act] article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of

the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as sought to be made and to that end shall have all the powers of the officer from whom the appeal is taken Notice of such decision shall forthwith be given to all parties in interest

Any person [or persons jointly or severally] aggrieved by any decision of the board of adjustment or any taxpayer or any officer [department board or bureau] of the township may [present] within thirty days after such decision of the board appeal to the court of common pleas of the county [a] by petition duly verified setting forth that such decision is [illegal in whole or in part specifying the grounds of the illegality Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board] arbitrary capricious an abuse of discretion or otherwise not in accordance with law specifying the grounds upon which he relies

Upon the presentation of such petition [the court may allow an appeal directed to the board of adjustment to review such decisions of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the realtor's attorney which shall not be less than ten days and may be extended by the court The allowance of the writ shall not stay proceedings upon the decision appeal from but the court may on application on notice to the board and on due cause shown grant a restraining order

The board of adjustment shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

If upon the hearing it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reverse or affirm wholly or partly or may modify the decision brought up for review] in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition On or before the return day of the writ the board or adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of the appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge may prescribe

If upon hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take evidence as it may direct and report the same to the court with his findings of facts and conclusions of law The court may reverse or affirm in whole or in part the decision appealed from as to it may appear just and proper

Section 3108 Remedies In case any building or structure is erected constructed reconstructed altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the proper [local authorities] officer of the township in addition to other remedies may institute in the name of the township any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 3109 Conflict with Other Laws Whenever the regulations made under authority of this [act] article require a greater width or size of yards courts or other open spaces or require a lower height of buildings or less number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in any other statute or local ordinance or regulation the provisions of the regulations made under authority of this article shall govern Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards courts or other open spaces or require a lower height of building or a less number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required by the regulations made under authority of this article the provisions of such statute or local ordinance or regulation shall govern

Section 3110 Act Not to Apply to Certain Buildings of Public Service Corporations This article shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public [Service] Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 60 Said act is hereby amended by adding to article XXXI section 3111 to read as follows

Section 3111 Finances The township commissioners are empowered to appropriate such moneys as they may deem necessary to finance the work of the Zoning Commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 61 Article XXXII and sections 3201 3202 and 3203 of said act are hereby reenacted revised and amended to read as follows

Article XXXII

Township Planning Commission

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a planning commission consisting of five persons In the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the township They shall serve without compensation and make annually to the township commissioners a report of their transactions The planning commission may with the consent of the township commissioners retain the services of an engineer or engineers as well as other necessary employes and may contract for professional planning services the costs and expenses of which when approved by the township commissioners shall be provided for through proper appropriations The township commissioner shall appropriate such sum as they deem necessary for defraying the expenses of the planning commission and in no event shall the expenses of

the planning commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the planning commission to make or cause to be made and to lay before the township commissioners maps and plans of the township or any portion thereof showing the street [highways] and other natural and artificial features and also any locations recommended by it for any new public buildings civic schemes parkways playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the planning commission may before the township commissioners any modification change or supplement to any prior plan or plans The planning commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be effective unless regularly approved and adopted by ordinance or resolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commissioners may at their discretion from time to time submit to the planning commission any question or proposal relating to any of the matters or things referred to in the preceding section [hereof] or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the planning commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

Section 62 Article XXXIII and sections 3301 to 3305 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXXIII

Enforcement of Ordinances

Section 3301 Proceedings for Violation of Township Ordinances All proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by any policeman or constable of the township who shall execute the same anywhere within the State as may be provided by law Persons arrested for violation of a township ordinance shall be entitled to give bail for their appearance according to the practice in cases of summary proceedings Warrants shall be returnable forthwith and upon such return like proceedings shall be had in all cases as in summary convictions with the same right of appeal from any final judgment entered therein except where otherwise provided by existing laws

Section 3302 Arrests on View Complaints When any person is arrested on view a complaint on oath or affirmation shall be immediately made whereupon the like proceedings shall be had as upon a warrant issued

Section 3303 Disposition of Fines and Penalties All fines or penalties collected for the violation of township ordinances shall be paid over to the township treasurer

Section 3304 Incarceration of Violators of Township Ordinances Collection of Fines and Penalties Any person arrested for the violation of a township ordinance may be committed to the township lockup pending a hearing or trial In case there is no suitable lockup or place in which to detain prisoners the person arrested may be committed to the county jail or workhouse No person shall be committed pending a hearing for a longer period than twenty-four hours except where Sunday intervenes Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed by said judgment and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days No fine or penalty shall exceed three hundred dollars for any single violation of any ordinance In case the defendant has goods or property of any kind whatsoever out of which said judgment and costs can be collected by execution capias or other process the plaintiff in the action may elect to proceed to collect the said judgment by such proceedings

Section 3305 Township's Liability for Costs of Prisoners to County When a prisoner is committed to any county jail [or prison] or workhouse either for the nonpayment of a fine or penalty imposed for the violation of any ordinance of a township or while awaiting a hearing upon any charge for the violation of any ordinance of a township the costs of proceedings and the expenses of maintaining such prisoner during his confinement by virtue of any such commitment shall be paid by the township whose ordinances were alleged to have been violated or to which any such fines or penalties are payable The county shall not be liable [to the sheriff] for any maintenance or to any officer or persons for any costs

Section 63 Article XXXIV and section 3401 to 3406 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXXIV

Actions by and Against Townships

Section 3401 Commissioners to Bring and Defend Suits All suits by a township shall be brought and conducted by the township commissioners In all suits against a township process shall be served [upon and defense] as provided by the Rules of Civil Procedure promulgated by the Supreme Court Defense shall be made by the township commissioners

Section 3402 Rights of Taxpayers to Inquire into Judgments Any taxpayer of any township may inquire into the validity of any judgment or defend the township in any suit or judgment upon filing a petition with the court of common pleas of the county in which such suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all costs that may accrue in such proceeding subsequent to the filing of such petition Whenever such intervention shall have taken place such taxpayer shall be deemed a party to the record and no settlement of any suit or judgment wherein such intervention shall have taken place shall be made without notice to such intervening taxpayer and an opportunity for him to be heard

Section 3403 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any township and the right of appeal is given to such township and for ten days immediately after the rendition of such judgment the township officials neglect to perfect an appeal any taxpayer or such township may take an appeal in behalf of the township from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section 3404 Affidavit and Bail by Taxpayers In taking the appeal the taxpayer shall make an affidavit that

the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficent bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas

Section 3405 Taxpayers Parties to Suits Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein

Section 3406 Recovery of Municipal Claims by Suit In addition to the remedies provided by law for the filing of liens for the collection of municipal claims townships may proceed for the recovery and collection of municipal claims by action of assumpsit against the person or persons who were the owner or owners of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such township or its agents to enter any such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises

[This section shall extend to all municipal claims where the improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim is not barred by the statute of limitations affecting actions of debt or assumpsit]

Section 64 Article XXXV of said act is hereby reenacted in part and revised and amended to read as follows

Article XXXV

Repeals

Section 3501 Nothing contained in this amendment revision and reenactment shall be construed to revive any act or part of an act heretofore repealed The following additional acts and parts of acts are hereby repealed as respectively indicated

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" so far as it relates to townships of the first class

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work" so far as it relates to townships of the first class

The act approved the first day of May one thousand nine hundred thirty-five (P. L. 124) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to townships of the first class

The act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to townships of the first class

The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 98) entitled "An act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to townships of the first class

The act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to townships of the first class

The act approved the first day of June one thousand nine hundred forty-five (P. L. 1232) entitled "An act providing for and regulaitng the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to townships of the first class

Section 3502 All other acts and parts of acts inconsistent with supplied by or appertaining to the subject matter covered by this act are repealed It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of townships of the first class except as to the several matters enumerated in section 103 of this act This act shall not repeal or modify any of the provisions of the Public [Service Company] Utility Law nor [the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" nor shall this act repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the General Assembly of one thousand nine hundred and thirty-one whether such acts were adopted prior to the passage of this act or shall be adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act [repeal any such or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the Session of the General Assembly of one thousand nine hundred and thirty-one] any law enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Eider,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Forster,	Kratz,	Reagan,	Yaffe,
Fox,	Kurtz,	Reese,	Yeakel,
Fullam,	Lederer,	Reidenbach,	Yester,
Fleck,	Lee,	Reilly, J. M.,	Yetter,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Zorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 498, entitled:

An Act to amend section seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by supporting for an alternative procedure in desertion and nonsupport cases.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. ROBERTSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 538, as follows:

An Act to amend section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state associations and the time to be spent at such meetings and providing for the payment of dues of such associations by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as added by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 583) is hereby amended to read as follows

Section 99 [Expenses Time Limit The actual expenses of the prothonotaries and clerks of the court attending the meetings of the state association including traveling expenses at five cents (5c) per mile and hotel bills not exceeding ten dollars ($10) per day actually paid by them going to attending and returning from annual meeting of the association shall be paid by the county of which he or she is an officer by orders drawn on the treasurer thereof] expenses of members length of meeting expenses of meetings Each prothonotary and clerk of court shall be allowed his expenses actually and necessarily incurred in going to attending and returning from the annual meeting of the association The time spent in attending such meeting shall not be more than [three] four (4) days exclusive of the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including printing committee expenses and stenographers shall be paid by the respective counties but shall not exceed twenty-five dollars per annum for each county in addition to the traveling expenses hereinbefore provided The dues of the members of the association shall be paid by the respective counties but shall not exceed the sum of twenty-five dollars ($25) for each office except where both offices are held by the same person In such case the dues shall not exceed twenty-five dollars ($25) Such dues shall be paid in addition to the amount paid for expenses of the officers attending meetings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,

Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 577, Printer's No. 392

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 597, as follows:

An Act to further amend section two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by requiring additional signatures on petitions for incorporation in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 202 Applications for Incorporation The application for incorporation shall be by a petition signed by a majority of the freeholders residing within the limits of the proposed borough which signatures must be secured within three months immediately preceding the presentation thereof to the court Such petition shall be subscribed by and sworn to by at least one of the signers The number of signers required to the petition shall be ascertained as of the date the petition was presented to court

In the event that such towns or villages are part of an existing city borough or township and such city borough or township or the school district thereof has any bonded indebtedness whatsoever then in such event such petition must be signed not only by a majority of the freeholders residing within the proposed borough but also by a majority of the freeholders residing within the said city borough or township The provisions of this amendment shall apply to proceedings now pending in any court of this Commonwealth as well as to those hereafter commenced

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEATHERINGTON. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, can the gentleman tell me on the question of a borough being incorporated from any part of a township today, what procedure will be taken about the indebtedness?

Mr. ROBERTSON. Does the gentleman mean under the present law, if a particular area of a township desires to have themselves formed into a borough,—is that the gentleman's question?

Mr. HEATHERINGTON. No, Mr. Speaker, in the case of a borough or city annexing any part of the township, what procedure is taken?

Mr. ROBERTSON. Mr. Speaker, this House and Senate recently passed House Bill No. 321, which states that if a part of a township is to be annexed to a borough or city, that the freeholders in that area, in the township, must sign a petition.

Mr. HEATHERINGTON. Mr. Speaker, the people of the area that is proposed to create the borough,—that they sign the petition,—is that right?

Mr. ROBERTSON. Mr. Speaker, is the gentleman speaking of creating a borough or annexing it?

Mr. HEATHERINGTON. Mr. Speaker, creating a borough out of a part of a township.

Mr. ROBERTSON. Mr. Speaker, does the gentleman mean under the present law creating a borough?

Mr. HEATHERINGTON. Yes, creating a borough.

Mr. ROBERTSON. Mr. Speaker, the present law is that in making a change to a borough the petition must be signed by a majority of the freeholders in that area only.

Mr. HEATHERINGTON. Mr. Speaker, what does the gentleman's bill do in the case of the creation of a borough?

Mr. ROBERTSON. Mr. Speaker, my bill merely states that in the creation of a borough out of a township, where the township has a bonded indebtedness, that the

petition must be signed by a majority of the freeholders of the entire township.

Mr. HEATHERINGTON. Mr. Speaker, suppose the township has quite a few assets and no indebtedness, then what does the gentleman do?

Mr. ROBERTSON. I didn't quite get the gentleman's question. Would he mind repeating his question?

Mr. HEATHERINGTON. Mr. Speaker, supposing the township is not in debt.

Mr. ROBERTSON. Does the gentleman mean that there is no indebtedness on the township?

Mr. HEATHERINGTON. That is right, Mr. Speaker.

Mr. ROBERTSON. Then, Mr. Speaker, this bill does not apply.

Mr. HEATHERINGTON. Mr. Speaker, we are going to take up the question of a borough created from a township, and the township has an indebtedness, what procedure is taken?

Mr. ROBERTSON. Mr. Speaker, if there is a bonded indebtedness in the township and the borough comes out of that township, this bill will apply and it will require the signature of the majority of the freeholders in the township.

Mr. HEATHERINGTON. Mr. Speaker, what would the gentleman do with the indebtedness today if the borough is created out of a township and they have a large debt in the township?

Mr. ROBERTSON. Mr. Speaker, I believe under Section 701 of the present borough code it requires assessors to assess the value of land taken into the borough, and the new borough must take over a certain percentage of the township indebtedness.

Mr. HEATHERINGTON. Mr. Speaker, in other words, if there is a borough created today from a township, does not the council of the borough sit down with the township supervisors or the township commissioners, and if there is forty percent of the valuation taken from the township, then the borough accepts forty percent of the indtebtedness, is that right today?

Mr. ROBERTSON. That is my understanding, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, on line 18 of the gentleman's bill, page 2, it says "school districts." In other words, if the township is not in debt and the school district has a debt and they want to create a borough out of a part of it, then you would have to get the signatures of the freeholders in that borough which is created, plus the signatures of the freeholders in the opposition, is that right, in order to create a borough?

Mr. ROBERTSON. That is correct, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, where does the school district enter into the picture of the creation of a borough, city, or township?

Mr. ROBERTSON. Mr. Speaker, may I answer the gentleman in this manner, that when a borough is formed from a township, I would say that ninety-nine and nine tenths percent of the time they end up with the result that the old school district is left holding the bag.

Mr. HEATHERINGTON. That is all. I thank the gentleman. Mr. Speaker and Members of the House, in answer to the gentleman on the question of the school district, in the creation of any borough, the school district does not enter into the picture until after the borough is created. It doesn't make any difference whether the school district is in debt or whether it is not in debt. After the borough is created the borough can apply to the State Educational Board for the right to have their own school district, and in the past twenty years that I know of the State Educational Board always said "no", it does not create any new school district. In the creation of the borough that I live in today, taken from a part of Versailles Township, we had thirty-four percent of the valuation of the township, and we had to take thirty-four percent of the debt of that township. On the question of the school district five years ago the State Educational Board in Harrisburg said "we shall not" and I believe the law in the school code tells you "we shall not have our own school district", which means that while we are living in the borough of Eden Park, we remain in Versailles Township school district.

Mr. Speaker, under House Bill 597, to create a borough you have to go over and ask the people living in the township who are strongly opposed to the creation of that borough, to sign a petition to allow you to have a borough. As far as the school district entering into it, under House Bill 597 there are two different functions of your borough government and your school government. I think if House Bill 597 were passed it would be impossible to create a borough in the Commonwealth of Pennsylvania, and I ask you to vote against House Bill 597.

Mr. LOVETT. Mr. Speaker, House Bill 597 is somewhat of a companion bill to the annexation in townships as I understand it. When the bill was before us I asked the question whether or not any particular group of people in that township could form a borough, and the answer I got was that they could. Therefore, I voted for that bill on the ground that the people still had the right to live under whatever form of government they saw fit.

Under this particular bill I find now they close the door on these people on creating a borough of their own. The present law makes them responsible for a certain amount of indebtedness if they do form a borough, but they go a step further and say that you must have the signatures of the majority of the township people for them to form there own borough. So, therefore, I think this is bad legislation and I will vote against it.

Mr. ROBERTSON. Mr. Speaker, to echo the words of the gentleman from Westmoreland, I might say "lets be fair." It has been the constant practice in this state from time immemorial for boroughs and cities to constantly raid townships. They have no regard for people who live in the townships and are left with the unused or unusable land, who still have to carry on township work, who still have to pay the township bills, who still have to pay to keep up the township roads, the police force and firemen. This bill is an attempt to level off the rights of both parties. This bill attempts to give to the people who live in the township definite notice when this raiding is going on. If the people in the proposed boroughs have a good argument and can appease the other people living in the township who are presently being hurt, then this will not under any circumstance prevent the formation of an additional borough.

I ask the Members of this House to take this question under consideration and vote for the bill to give to these people yet remaining in the townships the right to have a voice in whether a township will be raided.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I say again "lets be fair." The gentleman will recall that I voted for his bill to prohibit the annexation of boroughs in townships, is that not correct?

Mr. ROBERTSON. No, Mr. Speaker, the gentleman did not vote for my bill; it was Mr. Propert's bill.

Mr. LOVETT. It is the same bill that we are speaking about now?

Mr. ROBERTSON. Yes, House Bill 321.

Mr. LOVETT. That is right, I did vote for that bill.

Mr. ROBERTSON. I assume that the gentleman did vote for the bill, I don't know. I accept his word for it.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, I say "lets be fair." I agree with the gentleman on the raiding of townships by boroughs and cities and I voted for a bill to prohibit that raiding of the townships by cities and boroughs, but at the time the bill passed I stated or asked the question, if the people still had the right to whatever form of government they preferred to live under, any particular group in the township, and they told me at that time that they would. But today, under this bill, you cannot, unless you have the entire vote of the township to agree with what you want to do. So, therefore, "lets be fair." We did vote to protect the raiding of the townships and now we are asked to vote to prohibit the people from having the form of government that they want for themselves.

Mr. WEISS. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. WEISS. Mr. Speaker, on page three of the gentleman's bill, line 3, it says as follows:

> "The provisions for this amendment shall apply to proceedings now pending in any court of this Commonwealth, as well as to those hereafter commenced."

Is there some case now pending in the Superior Court or in the local courts of the states, intended to be taken care of by the passage of this act?

Mr. ROBERTSON. Mr. Speaker, I believe that there is a case presently pending before the Delaware County courts.

Mr. WEISS. Mr. Speaker, the gentleman is trying to get the Legislature to do something that will take away from the courts, trying to force the courts to accept the opinion of the Legislature by this type of legislation?

Mr. ROBERTSON. No, that is not right, Mr. Speaker. What this bill attempts to do is to change the procedure which the courts are bound to follow.

Mr. WEISS. Mr. Speaker, the reason I called this matter to the attention of the Members of the House is the fact that too often bills come into this Legislature when here are pending cases in court, in order to take out of the courts the right to decide something in matters of this type brought before these courts. That is true especially where a dispute goes on between different organizations in the courts.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—49

Barkdoll,	Fox,	McKinney,	Stimmel,
Bednarek,	Gallagher,	Milliken,	Tahl,
Bloom,	Goodling,	Mills,	Toomey,
Breisch,	Graybill,	Mintess,	Wachhaus,
Brown, W. E.,	Greenwood,	Najaka,	Wagner,
Cadwalader,	Harney,	O'Donnell,	Weiss,
Clendening,	Hocker,	Propert,	Wheeler,
Coleman,	Jump,	Robertson,	Williams,
Dalrymple,	Kemp,	Sax,	Yaffe,
Evans,	Kline,	Schmidt,	Yeakel,
Ewing,	Leisey,	Smith, C. C.,	Young,
Felton,	McCullough,	Spencer,	Sorg,
Ferster,			Speaker

NAYS—119

Andrews,	Hagerty,	McNally,	Reynolds,
Bane,	Hall,	Mihm,	Riley, R. L.,
Beaver,	Hamilton,	Mikula,	Robbins,
Blair,	Harris,	Miller,	Rose,
Bomberger,	Haudenshield,	Monroe,	Rosen,
Boorse,	Heatherington,	Moore, C. E.,	Rovansek,
Brandon,	Helm,	Moore, H. A.,	Royer,
Breth,	Herman,	Moran,	Scanlon,
Brice,	Hewitt,	Munley,	Scott,
Brunner,	Hoggard,	Murray,	Seyler,
Bucchin,	Hunter,	Musto,	Snider,
Clapper,	Jenkins,	Nagel,	Sollenberger,
Cochran,	Jennings,	Needham,	Stank,
Cole,	Jim,	Neff,	Sternberg,
Conway,	Johnson,	Nixon,	Stuart,
Cooper,	Jones, G. E.,	Orban,	Swope,
Dennison,	Jones, J. M.,	Penglase,	Taylor,
Duffy,	Kamyk,	Pentrack,	Tompkins,
Filo,	Kent,	Peta,	Varallo,
Firmstone,	Kirley,	Pettigrew,	Wargo,
Fleming,	Kohl,	Pfaff,	Waterhouse,
Floyd,	Kolankiewicz,	Polen,	Weidner,
Frost,	Kondrath,	Posta,	Welsh,
Gaffney,	Lederer,	Powers,	Wescott,
Gibson,	Leonard,	Price, H. W., Jr.,	Westrick,
Glembocki,	Limper,	Price, R. A.,	Worley,
Green,	Lovett,	Readinger,	Yester,
Greer,	Madigan,	Reagan,	Yetzer,
Guarnieri,	McGee,	Reidenbach,	Ziegler,
Guthrie,	McMillen,	Reilly, J. M.,	

NOT VOTING—40

Altshuler,	Driscoll,	Keller,	Reese,
Amarando,	Dye,	Kratz,	Sarraf,
Baumunk,	Elder,	Krise,	Schuster,
Boles,	Erb,	Kurtz,	Shoemaker,
Bower,	Flack,	Lee,	Smith, W. B.,
Brown, H. S.,	Frank,	Loftus,	Thompson,
Costa,	George,	McCormack,	Varner,
DeLong,	Good,	O'Dare,	Verona,
Depuy,	Hersch,	Olsen,	Watkins,
Dougherty,	Hoffman,	Petrosky,	Wood,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE

Mr. BREISCH. Mr. Speaker, I move that the vote by which House Bill No. 526, Printer's No. 514, entitled:

An act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation.

was defeated on final passage, Tuesday, April 5, 1949, be reconsidered.

Mr. BARKDOLL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Schuylkill, Mr. Breisch vote on the final passage of this bill?

Mr. BREISCH. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Franklin, Mr. Barkdoll vote on the final passage of this bill?

Mr. BARKDOLL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. GOODLING. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 762, as follows:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred forty-nine for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes The moneys hereby appropriated shall be apportioned among and paid to the several counties appropriating and expending from the county treasury a sum equal to that received from the Commonwealth for such purpose

Section 2 The funds appropriated under this act shall be available for payment of salaries and wages purchase of supplies and other necessary and pertinent items in accordance with regulations promulgated by the Department of Agriculture under the provisions of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Orban,	Verona,
Costa,	Jim,	Olsen,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to further amend sections seven and eighteen of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain ab-

stracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 389) is hereby further amended to read as follows

Section 7 No female shall be employed or permitted to work for more than five hours continuously in or in connection with any establishment without a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Employes shall not be required to remain in the workrooms during the meal or rest periods required by this section [Provided however That where the strict application of the thirty minutes' meal or rest period impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section]

Section 2 Section eighteen of said act as amended by the act approved the eighteenth day of April one thousand nine hundred twenty-nine (P. L. 617) is hereby further amended to read as follows

Section 18 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provisions of this act shall be subject to the following penalties

Upon conviction for violation of any provision of sections three four five six or seven of this act he shall be punished for a first offense by a fine of not less than ten ($10) dollars and costs or more than fifty ($50) dollars and costs and upon nonpayment thereof be imprisoned in the county jail for not more than ten days for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars and costs or more than two hundred ($200) dollars and costs and upon nonpayment thereof by imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification

Upon conviction for a violation of any of the provisions of sections eight nine ten eleven twelve thirteen fourteen or fifteen of this act the punishment shall be without regard to the number of females employed for a first offense not less than twenty-five ($25) dollars and costs or more than fifty ($50) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than twenty days for a second or subsequent offense a fine or not less than fifty ($50) dollars and costs or more than two hundred ($200) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry that he is violating such provisions and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Department of Labor and Industry for remedying the aforesaid condition Provided

First That any person who shall demand evidence such as shall be required by law for the issuing of employment certificates to minors that any applicant for employment or permission to work in or in connection with his establishment is [twenty-one] eighteen years of age and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age shall not be liable to punishment for the violation of section five of this act though it shall subsequently appear that such applicant was in fact less than [twenty-one] eighteen years of age Provided That this provision shall not apply to any person who shall demand and receive the evidence herein provided for if he knows at the time of receiving such evidence that the applicant is in fact less than [twenty-one] eighteen years of age nor shall this provision prevent the punishment of any person for violating section five of this act after knowledge of the true age of the female employed

Section Whenever a violation of any provision of this act shall also be a violation of another provision or other provisions of this act penalties may be imposed for the violation of each and every such provision

Third That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fourth That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of minors penalties shall be imposed under only one of such acts

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EVANS. Mr. Speaker, now that we have had an opportunity to express our thoughts on this bill, it can be said that this bill in a manner is a supplement to House Bill 35, which passed and became a law in the 1947 session. Those of you who were here in the 1947 session will recall that bill because it emasculated the female working law in this state by increasing the number of hours per week, by increasing the number of hours per day, permitting around the clock work, and we have changed the age requirement from twenty-one to eighteen years. The bill which we are now considering changes the age requirement from twenty-one to eighteen years and it applies to the penalty provisions of the bill. I want to be consistent in my position with respect to House Bill 35. As a matter of principle I oppose the passing of this bill and will vote accordingly.

Mr. HERMAN. Mr. Speaker, the gentleman is correct when he said it changed the Act with regard to women workers in certain industries, but it only changes the age from twenty one to eighteen years in the penalty provisions of the law. In 1947 the age was lowered from twenty one to eighteen years. All this bill does is to correct an inconsistency in the act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Altshuler,	Ferster,	Keller,	Riley, R. L.,
Barkdoll,	Firmstone,	Kemp,	Robbins,
Baumunk,	Flack,	Kent,	Robertson,
Bednarek,	Fleming,	Kline,	Royer,
Blair,	Fox,	Kratz,	Sax,
Bloom,	Frank,	Kurtz,	Scott,

Bomberger,	Frost,	Lee,	Shoemaker,
Boorse,	Gallagher,	Leisey,	Smith, C. C.,
Bower,	George,	Loftus,	Sollenberger,
Breisch,	Gibson,	Madigan,	Spencer,
Brice,	Goodling,	McCormack,	Stimmel,
Brown, W. E.,	Graybill,	McCullough,	Tahl,
Brunner,	Green,	McKinney,	Thompson,
Cadwalader,	Greenwood,	McMillen,	Tompkins,
Clapper,	Greer,	Miller,	Toomey,
Clendening,	Guthrie,	Milliken,	Varner,
Cooper,	Hall,	Mintess,	Wagner,
Costa,	Harney,	Moore, C. E.,	Waterhouse,
DeLong,	Haudenshield,	Moore, H. A.,	Weidner,
Dennison,	Helm	Murray,	Wescott,
Depuy,	Herman,	Neff,	Wood,
Driscoll,	Hewitt,	O'Donnell,	Yaffe,
Dye,	Hocker,	Orban,	Yeakel,
Elder,	Hoffman,	Price, H. W., Jr.,	Young,
Erb,	Jennings,	Propert,	Ziegler,
Ewing,	Johnson,	Reagan,	Sorg,
Felton,	Jump,	Reilly, J. M.,	Speaker

NAYS—91

Andrews,	Heatherington,	Munley,	Sarraf,
Bane,	Hoggard,	Musto,	Scanlon,
Beaver,	Hunter,	Nagel,	Schmidt,
Boles,	Jenkins,	Najaka,	Schuster,
Brandon,	Jim,	Needham,	Seyler,
Breth,	Jones, G. E.,	Nixon,	Snider,
Bucchin,	Jones, J. M.,	Olsen,	Stank,
Cochran,	Kamyk,	Penglase,	Sternberg,
Cole,	Kirley,	Peta,	Stuart,
Coleman,	Kohl,	Petrosky,	Swope,
Conway,	Kolankiewicz,	Pettigrew,	Taylor,
Dalrymple,	Kondrath,	Pfaff,	Varallo,
Dougherty,	Lederer,	Polen,	Verona,
Duffy,	Leonard,	Posta,	Wargo,
Evans,	Limper,	Powers,	Weiss,
Filo,	Lovett,	Price, R. A.,	Welsh,
Floyd,	McGee,	Readinger,	Westrick,
Gaffney,	McNally,	Reese,	Wheeler,
Glembocki,	Mihm,	Reidenbach,	Williams,
Good,	Mikula,	Reynolds,	Worley,
Hagerty,	Mills,	Rose,	Yester,
Hamilton,	Monroe,	Rosen,	Yetzer,
Harris,	Moran,	Rovansek,	

NOT VOTING—10

Amarando,	Hersch,	Pentrack,	Wachhaus,
Brown, H. S.,	Krise,	Smith, W. B.,	Watkins,
Guarnieri,	O'Dare,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House a former Member from Philadelphia, Congressman Earl Chudoff.

SCHUYLKILL HAVEN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming the senior class in "Problems of Democracy" of the Schuylkill Haven High School, Schuylkill County, under the direction of Mr. Hartranft. They are the guests of the gentlemen from Schuylkill, Mr. Kline and Mr. Watkins.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 875, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garages keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for a uniform maximum rate of speed for all vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) in part by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) and in part by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 399) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

1 Ten (10) miles an hour speed limit

All vehicles when passing any interurban or street car taking on or discharging passengers at an intersection where a safety zone has been established or where traffic is controlled by a peace officer or a traffic signal

2 Fifteen (15) miles an hour speed limit

All vehicles [except those restricted by this act to lower maximum speeds] when passing a school building during school recess or while children are going to or leaving school during opening or closing hours

(3) Twenty (20) miles an hour speed limit

All vehicles [except those restricted by this act to lower

maximum speeds] when approaching within two hundred (200) feet of a railway grade crossing where officials signs erected by the proper authorities are displayed

All vehicles except those being operated on through highways [and those restricted by this act to lower maximum speeds] when approaching within fifty (50) feet and in traversing an intersection of highways within a business or residence district or in traversing an intersection in a public park area when the driver's view is obstructed except on highways controlled at intersections by peace officers or traffic signal A driver's view shall be deemed to be obstructed if during the last fifty (50) feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles [except those restricted by this act to lower maximum speeds] within business or residence districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone

5 Thirty-five (35) miles an hour speed limit All vehicles [except those restricted by this act to lower maximum speeds] while using auxiliary driving lamps as provided for in section eight hundred two (b)

6 Fifty (50) miles an hour speed limit All vehicles except [those otherwise restricted by this act to lower maximum speeds] as otherwise provided in clauses seven and eight of this subsection and subsection (c) of this section

7 Seventy (70) miles an hour speed limit All vehicles when being operated on highways under the supervision and control of a Turnpike Commission except those otherwise restricted by [this act] subsection (c) of this section to lower maximum speeds and except when restricted to lower maximum speeds by such Turnpike Commission upon the highways under its supervision and control or any zones or sections thereof where official signs erected by such Turnpike Commission on the highway facing the traffic to be controlled are displayed

8 The Secretary of Highways may after due investigation establish further restricted speed zones on State Highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act

Any such established restricted speed zone shall be indicated by the erection of official signs spaced not less than one-eighth of a mile apart on the right hand side of the highway facing the traffic to be controlled and at the end of the restricted speed zone there shall be an official sign indicating the end of such restricted speed zone

Section 2 Subsection (c) of section one thousand two of said act as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 399) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided [except] when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commission as hereinbefore provided the maximum speed limits shall be [twenty miles per hour greater than hereinafter provided]

Commercial motor vehicles and truck tractors R class [fifty] seventy miles per hour

Motor buses and omnibuses [fifty] seventy miles per hour

Commercial motor vehicles and truck tractors S T and U classes [forty] sixty miles per hour

Commercial motor vehicles and truck tractors V and W classes [thirty-five] fifty-five miles per hour

All other commercial motor vehicles and truck tractors [thirty] fifty miles per hour

All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers [thirty] fifty miles per hour

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STUART. Mr. Speaker, I would like to ask the sponsor of this bill to explain its effect.

Mr. FROST. Mr. Speaker, in reply to the gentleman's inquiry and for the information of the other Members of the House, this bill proposes to make uniform speed limits for all vehicles at fifty miles per hour. It does not affect passenger cars, which is fifty miles an hour now. It does affect the speed of buses and commercial motor vehicles. At the present time there are five or six classifications of commercial motor vehicles and buses.

I will give you the present rates of speed. Of course this bill would modify it to fifty miles an hour. Commercial motor vehicles, according to the license definition are commercial motor vehicles, light type, which does not change at all. The speed limit of that now is fifty miles an hour and remains at that figure. Motor buses and omnibuses are now forty-five miles an hour, and the bill provides for fifty. As to commercial motor vehicles of the classes "S", "T" and "U", that is the license classes, the limit is now forty miles an hour, and it is changed to fifty miles. As to commercial motor vehicles of the type "V" and "W", the speed limit is now thirty miles an hour and is now raised to fifty miles an hour. Commercial motor vehicles, trucks, tractors and others are now thirty miles an hour. This would make it fifty miles an hour. All combinations are now thirty miles an hour and this would make it fifty miles an hour. Does that answer the gentleman's question?

Mr. STUART. Mr. Speaker, I desire to interrogate the gentleman from Centre, Mr. Frost.

The SPEAKER. Will the gentleman from Centre permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

Mr. STUART. Mr. Speaker, does the gentleman's bill reduce the speed of trucks on the turnpike?

Mr. FROST. Mr. Speaker, the trucks on the Turnpike, the present law is twenty miles an hour more than the speeds that I have just read. For instance, the "R" type of light truck is fifty miles an hour. The present law is seventy, and the proposed speed in this bill is seventy. It does not change the present speed. For instance, "S", "T", and "U" classes, it is forty miles an hour now, and on the turnpike it is twenty miles more, or sixty miles an hour. The next class "V" and "W", it is thirty-five

miles regular, and on the Turnpike it is twenty miles more, or fifty-five. It does not increase any of the speeds on the Turnpike at all.

Mr. STUART. Mr. Speaker, under the gentleman's bill, they still operate at a speed of seventy miles an hour on the Turnpike?

Mr. FROST. Light trucks of the "R" type as they are now, there is no change. They are permitted fifty miles an hour outside of the Turnpike, and they are permitted twenty miles more on the Turnpike. Therefore, they are permitted seventy miles an hour under this act. There is no change on the Turnpike affected by this bill.

Mr. STUART. Mr. Speaker, just what vehicles in general are affected and what increased speeds are allowed?

Mr. FROST. Mr. Speaker, the heavier commercial motor vehicles and buses are affected. As I have said, buses are now forty-five miles an hour and this bill would permit fifty miles an hour. Heavy trucks that are thirty-five and thirty would be permitted fifty miles per hour under this bill.

Mr. STUART. I thank the gentleman.

Mr. Speaker, it seems to me that we ought to consider very carefully increasing the speeds of commercial vehicles on the highways. Last week we passed the big truck bill, and now we are speaking in terms of human life. We can repair shattered trucks but we cannot always repair shattered human bodies or loss of life.

Mr. FROST. Mr. Speaker, I would like to say two things. First all motor vehicles, whether passenger or commercial are regulated by subsection "A" and subsection "B" of section 1002. Subsection "A" has not been changed. It is the same if this bill is passed as it is now. It provides that no motor vehicle shall be driven under any conditions, taking into consideration the road surface, the width of the road and it provides that it shall be driven prudently and not at any time be so driven as to endanger life. That, of course, is the same as it is at the present time.

Second, in 1947 the Legislature authorized the Joint State Government Commission to set up a committee for the study of the laws on motor vehicles, with the idea of codification and the idea of bringing forth such recommendations within the realm of certainty. This bill is the result of the study of that commission and the recommendations of that committee.

Mr. FILO. Mr. Speaker, I desire to interrogate the gentleman from Centre, Mr. Frost.

The SPEAKER. Will the gentleman from Centre permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, does the gentleman from Centre drive an automobile?

Mr. FROST. Yes, Mr. Speaker, I do. I drive at it, anyway.

Mr. FILO. Mr. Speaker, has the gentleman at any time been successful in passing a commercial truck at forty-five miles an hour?

Mr. FROST. I did not quite get the gentleman's question.

Mr. FILO. Mr. Speaker, I say, has the gentleman at any time been successful in passing a commercial truck going forty-five miles an hour?

Mr. FROST. Mr. Speaker, if they were running forty-five miles an hour, I would have.

Mr. FILO. Do they run forty-five miles an hour?

Mr. FROST. Mr. Speaker, that is not the purpose of this bill. I don't know—I do not think that is pertinent to the bill. I don't know how fast they run. I never timed them. Possibly, some of them do run that fast, faster than forty-five miles an hour but I do not think that is germane to the bill.

Mr. DENNISON. Mr. Speaker, not in defense of this bill but merely by way of explanation, the Committee of the Joint State Government Commission took testimony and discussed this matter in the interest of groups, and it was the result of the study of that committee that the idea of moving all traffic at a uniform rate of speed would be in the interest of safety.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Altshuler,	Fox,	Lovett,	Royer,
Andrews,	Frank,	Madigan,	Sarraf,
Bane,	Frost,	McCormack,	Sax,
Barkdoll,	Gallagher,	McGee,	Scanlon,
Baumunk,	Gibson,	McKinney,	Schmidt,
Bednarek,	Green,	McMillen,	Scott,
Blair,	Greenwood,	Mihm,	Shoemaker,
Bloom,	Greer,	Milliken,	Smith, C. C.,
Boles,	Guthrie,	Mintess,	Sollenberger,
Boorse,	Hall,	Monroe,	Spencer,
Bower,	Hamilton,	Moore, H. A.,	Stank,
Breisch,	Heatherington,	Moran,	Sternberg,
Brunner,	Helm,	Munley,	Stimmel,
Cadwalader,	Herman,	Musto,	Swope,
Clapper,	Hewitt,	Najaka,	Tahl,
Clendening,	Hocker,	Needham,	Tompkins,
Cochran,	Hoffman,	Neff,	Varner,
Conway,	Hoggard,	O'Donnell,	Verona,
Cooper,	Jennings,	Penglase,	Wachhaus,
Costa,	Jim,	Pettigrew,	Wagner,
Dalrymple,	Johnson,	Powers,	Wargo,
DeLong,	Jones, G. E.,	Price, R. A.,	Weidner,
Dennison,	Jump,	Propert,	Wescott,
Depuy,	Kamyk,	Readinger,	Wheeler,
Driscoll,	Keller,	Reese,	Williams,
Duffy,	Kemp,	Reidenbach,	Yaffe,
Dye,	Kline,	Reilly, J. M.,	Yeakel,
Elder,	Kohl,	Reynolds,	Yetzer,
Evans,	Kondrath,	Riley, R. L.,	Young,
Ewing,	Kratz,	Robbins,	Ziegler,
Ferster,	Kurtz,	Robertson,	Sorg,
Firmstone,	Lee,	Rovansek,	Speaker
Floyd,	Loftus,		

NAYS—58

Beaver,	Graybill,	McNally,	Rosen,
Bomberger,	Guarnieri,	Mikula,	Seyler,
Brown, W. E.,	Hagerty,	Miller,	Snider,
Bucchin,	Harney,	Mills,	Stuart,
Cole,	Harris,	Moore, C. E.,	Taylor,
Coleman,	Hunter,	Murray,	Toomey,
Erb,	Jenkins,	Nagel,	Varallo,
Felton,	Jones, J. M.,	Nixon,	Waterhouse,
Filo,	Kirley,	Orban,	Weiss,
Flack,	Kolankiewicz,	Peta,	Welsh,
Fleming,	Lederer,	Polen,	Westrick,
George,	Leisey,	Posta,	Wood,
Glembocki,	Leonard,	Reagan,	Worley,
Good,	Limper,	Rose,	Yester,
Goodling,	McCullough,		

NOT VOTING—21

Amarando,	Gaffney,	O'Dare,	Price, H. W., Jr.,
Brandon,	Haudenshield,	Olsen,	Schuster,
Breth,	Hersch,	Pentrack,	Smith, W. B.,
Brice,	Kent,	Petrosky,	Thompson,
Brown, H. S.,	Krise,	Pfaff,	Watkins,
Dougherty,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

RESOLUTION

CONGRATULATIONS

Mr. ANDREWS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read and considered as follows:

In the House of Representatives, April 6, 1949.

Friend of many, enemy of none. Closely associated with the House of Representatives is a man who has held this enviable position over a span of two score years of reporting the political news and activities of the Commonwealth.

First assigned as a Capitol Hill reporter in the Spring of 1909 he has faithfully and impartially reported political news through the administration of Governors Stuart, Tener, Brumbaugh, Sproul, both Pinchot terms, Fisher, Earle, James, Martin, Bell and Duff.

Becoming a member of the Pennsylvania Legislative Correspondents Association in 1911, he served as its President for the 1929-1930 term and today is the beloved and respected dean of the association.

Well known and widely read, his acute and interesting "political gleanings" reflect the knowledge and maturity of a man well versed in the political affairs of the Commonwealth and the Nation.

This month, being the fortieth anniversary of continuous reporting of political news and events by this friend and associate, it is fitting and proper that the House of Representatives give official voice to that which the members, as individuals, feel in their hearts; therefore be it

Resolved, That the members of the House of Representatives extend to Charles G. Miller, the beloved dean of the Capitol Hill newspaper correspondents their sincere congratulations on this the fortieth anniversary of his career and their best wishes that he may continue as an associate and a friend for the many more years that lie before him.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. It is a sobering thought, at least as far as I am concerned, that perhaps Charles Miller and myself are the only two men active either in the newspaper business or active in some other line, who have been in touch with this Hall over the period of forty years.

If you will just stop to think a minute what a pageant of history these men have seen, what Charles Miller has seen and what I have seen in part. All of those we knew, of giant stature in those days, Peter Bolger, John Ball, Walter Christy, and George Brennan, names that were famous in this state—have all gone. Apparently, as I say, as I consult my mind, only Charley Miller and myself are left.

I want to ask the oldest member of this House if he can ever recall a time when Charles Miller ever broke a confidence. I want to ask the oldest Member of this House if he can remember a time when Charley Miller ever broke a promise. I want to ask the oldest Member of this House if he can remember a time when Charley Miller ever wrote an article or any publication from sheer malice. From what I can remember over a period of forty years I can't remember of a broken promise or a broken confidence or an article written in malice. All I can say is that he has been a great newspaperman, but forty years ago he was the dumbest duff I knew in plain talk.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The SPEAKER. Will the gentleman please rise in his place and take a bow?

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 877, entitled:

An Act to amend sections five, ten and twenty-two of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating, and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers and for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by providing for exemptions in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. COLE. Mr. Speaker, several days ago I took a stand against the passage of this bill, I just want to say that I take the same position today as I did a few days ago. I think this is a bad bill in principle; I think it opens the door to sweatshop conditions and it opens the door to a breakdown of the wage structure. At this time I would like to yield to the gentleman from Philadelphia, Mr. Peta.

Mr. PETA. Mr. Speaker, House Bill 877, Printer's No. 376, is a bad bill because I recall the days of the sweatshops for the simple reason that it has no law in it to permit anybody to investigate people that are doing work at home.

You take back in Philadelphia, where we had that kind of work, and in 1942, 1943, and 1944, when the country was at war we gave the people work at home. What happened? They started giving it to other people, the wives who had husbands in the service and babies at home. What happened? They were paying less money than they were paying at a shop and we had to stop that kind of work. So, coming back to this bill again, I wish every Member of this House would vote against this bill because it is a very bad bill and it is going to hurt the labor organizations.

Mr. BRUNNER. Mr. Speaker, if there are no objections I ask that this bill be passed over.

BILLS PASSED OVER

There being no objection

House Bill No. 877, Printer's No. 376

was passed over at the request of Mr. BRUNNER.

There being no objection

House Bill No. 1037, Printer's No. 461

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1061, as follows:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty in certain cases and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any employe of any jail workhouse penitentiary penal reformatory or correctional institution hospital for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who is injured by any inmate patient or any person held in custody or maintained in such institution in the performance of such employe's duties shall be paid by the Commonwealth or by the county for which the employe is employed the full regular salary or pay until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with such injury shall be paid by the Commonwealth or by the county for which the injured employe is employed Absence from duty because of such injury shall not be included in any sick leave allowed such employe by law or regulation Any workmen's compensation paid such injured employe for such period of incapacity shall be turned over to the Commonwealth or county for which the injured employe is employed and paid into the treasury thereof And if such payment shall not be made by the injured employe the amount so due shall be deducted from any salary then and there becoming due and owing

Section 2 At the end of a twelve (12) month period following the injury to any employe and upon examination by proper medical authority if such injured employe shall be declared permanently disabled and unable to perform all his or her previous duties such injured employe shall cease to be listed on the current payroll and shall immediately be transferred to the pension roll at the maximum rate in effect at the time of transfer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brier,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1107, Printer's No. 471,
Senate Bill No. 245, Printer's No. 338,
Senate Bill No. 246, Printer's No. 339 and
Senate Bill No. 459, Printer's No. 208

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 485 as follows:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be charged and collected by the recorders of deeds in counties of the first class shall be as follows

For recording deeds of not more than four pages three dollars and fifty cents ($3.50) and one dollar ($1) for each additional page or fractional part thereof

For registration of deeds which the recorder of deeds is required to have registered in any office for the registration of deeds other than the said recorder's office twenty-five cents ($.25) for each description in such deed in addition to the recording fee

For recording mortgages of not more than four pages six dollars and fifty cents ($6.50) and one dollar ($1) for each additional page or fractional part thereof

For recording widow's election two dollars and fifty cents ($2.50)

For recording release of legacies two dollars and fifty cents ($2.50)

For recording decree of femme sole trader two dollars and fifty cents ($2.50)

For recording power of attorney of not more than two pages two dollars and fifty cents ($2.50) and one dollar ($1) for each additional page or fractional part thereof

For recording or exemplifying of commission with bond and oath for notary public city or county officer or magistrate five dollars ($5) special police officer two dollars and fifty cents ($2.50)

For exemplification of special police officer's oath one dollar ($1)

For recording all other instruments of writing of not more than four pages three dollars and fifty cents ($3.50) and one dollar ($1) for each additional page or fractional part thereof

For exemplification of records of not more than two pages two dollars and fifty cents ($2.50) and one dollar ($1) for each additional page or fractional part thereof in addition to fifty cents ($.50) for certificate and seal

For noting any instrument on margin of record twenty-five cents ($.25)

For entering satisfaction or partial payment on margin of record of mortgage one dollar and fifty cents ($1.50)

The word page as hereinbefore used shall mean a legal cap or typewritten page

For making searches mortgages conveyances and assignments of mortgages

For each and every ten years or fractional part thereof each name one dollar ($1)

Each reference examined ten cents ($.10)

Certificate and seal to search fifty cents ($.50)

The fees for services not herein specifically provided for shall be the same as for similar services as nearly as can be practically ascertained

Section 2 All fees shall be exclusive of any tax or any fee payable to the Commonwealth now or hereafter provided for by law and which the recorder of deeds is or shall be required to collect

Section 3 The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (P. L. 1104) is hereby repealed All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel.	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 543, Printer's No. 185

was passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. CADWALADER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

The SPEAKER. The Chair apologizes to the gentleman from Allegheny, Mr. McNally. He did not observe him rise for the purpose of being recognized. Does the gentleman desire to be recognized?

Mr. McNALLY. Yes, Mr. Speaker. On a question of personal privilege.

QUESTION OF PERSONAL PRIVILEGE

Mr. McNALLY. I rise to a question of personal privilege.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. McNALLY. Mr. Speaker, I desire to interrogate the gentleman from Chester, Mr. Leisey.

The SPEAKER. Will the gentleman from Chester permit himself to be interrogated?

Mr. LEISEY. I shall, Mr. Speaker.

Mr. McNALLY. Mr. Speaker, I understand that the gentleman from Chester is the Chairman of the Committee on Railroads and Railways, is that right?

Mr. LEISEY. That is right, Mr. Speaker.

Mr. McNALLY. Mr. Speaker, will the gentleman from Chester tell me if the Committee has met since the beginning of this session?

Mr. LEISEY. We have had two meetings, Mr. Speaker.

Mr. McNALLY. Mr. Speaker, has the gentleman any idea whether there may be a meeting in the near future? I understand there are a number of bills or legislation affecting railroad and railway employes—

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, we cannot hear either of those men. Maybe they each ought to have two microphones.

The SPEAKER. For the information of the gentleman from Allegheny, Mr. Moran, both gentlemen are out of order. The gentleman is not speaking on a question of personal privilege.

Mr. McNALLY. Mr. Speaker, I want to inquire if the Chairman of the Railroad and Railways Committee has any idea if there will be any meeting of that Committee in the near future.

The SPEAKER. The gentleman rose for a question of information, and then requested leave to interrogate the gentleman from Chester, Mr. Leisey.

Mr. LEISEY. Mr. Speaker, I don't know when the Committee will meet. If it meets, it will be announced by the Clerk and also posted on the bulletin board.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 451.

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 11 by striking out after the word "Laws" the figure "306" and inserting in lieu thereof the figure "360."

Amend Section 3, page 7, line 6 by striking out after the word "Laws" the figure "289" and inserting in lieu thereof the words "two hundred eighty-nine)."

Amend Section 4, page 9, line 12 by striking out after the word "Laws" the figure "1948" and inserting in lieu thereof the words "one thousand nine hundred forty-eight."

Amend Section 4, page 9, line 14 by striking out after the word "Laws" the figure "1980" and inserting in lieu thereof the words "one thousand nine hundred eighty."

Amend Section 8, page 14, line 13 by striking out after the word "in" the word "receipts" and inserting in lieu thereof the word "receipt."

Amend Section 21, page 26, line 19 by striking out after the word "this" the word "act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. R.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,

Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 450.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further defining the scope of the act and by authorizing nonprofit medical and osteopathic service corporations to provide osteopathic services by doctors of osteopathy to subscribers.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 7, line 9, by inserting after the word "nonprofit" the word "medical"; page 7, line 9, by striking out after the word "osteopathic" the word "medical."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Baumunk,	George,	McCormack,	Royer,
Bane,	Gibson,	McCullough,	Sarraf,
Barkdoll,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. LEDERER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to address the members of the House about an issue that is of vital importance to them, the City of Philadelphia and the Governor of this State.

Mr. Speaker: On February 7, 1949, the members of the Community Council of the 18th Ward, together with their president, Mr. William Rowen Grant, requested me to introduce a bill in the House of Representatives for the purpose of making an appropriation to the City of Philadelphia for repairs to the Penn Treaty monument and improvements to the grounds thereof, located in the 18th Ward of the said City of Philadelphia. On March 14th I introduced House Bill No. 1249, Printer's No. 1249. On March 15th the bill was referred to the Committee on Appropriations. Its provisions were as follows:

Whereas, the Society of Penn of the City of Philadelphia in the year of 1827, erected a monument at Columbia Avenue and Beach Street in Philadelphia to commemorate

the signing of the treaty between William Penn and the Indians, and

Whereas, said monument has become dilapidated and is rapidly falling into decay, and

Whereas, the Penn Treaty Park in which this monument is located has become extremely run down, the walks broken and the grass completely trampled out, the rest rooms boarded up and the benches and the drinking fountain have disappeared completely. Automobiles are driven in and are parked everywhere. The iron fence used to protect the children by being a barrier between them and the river is in such broken condition that a repetition of death at that spot is quite possible, and

Whereas, it is wise that endearing mementoes marking the prominent events in the history of our Commonwealth should be preserved for all generations as silent, impressive teachers, and

Whereas, it is proper that the spirit manifested by the founder of our state at the making of said treaty in 1682 should command and receive the profound respect of our people, and

Whereas, a generous manner of testifying our respect as aforesaid would be by preserving said monument.

Section 1. The sum of fifty thousand dollars, or as much thereof as is necessary, is hereby appropriated to the City of Philadelphia for the purpose of improving, repairing and restoring Penn Treaty Park on which site said monument is located.

Section 2. A portion of the above appropriation shall be used by the City of Philadelphia for the purpose of keeping a guard at the monument and within the park at such times as it is usually visited by the public.

Section 3. The provisions of this act shall become effective immediately on final enactment.

Mr. Speaker and Members of the House: The following day, March 16th, the Philadelphia newspapers published some of the extracts of the bill. The park up to that time belonged to the Bureau of City Property. The following day, this historic shrine which comprises an area of two acres, was transferred to the Bureau of Recreation by a Councilman Phineas Green, who sponsored the ordinance calling for the transfer at the request of some other person without giving any consideration to the community or the City of Philadelphia.

This means another playground to the citizens and at the present time there are enough playgrounds in this area.

Penn Treaty Park is a historic shrine and to my knowledge for the past ten years there was appropriated by the County Commissioners no revenue for its upkeep. History tells us that William Penn made a series of treaties in Shackamaxon Village but the main and famous one was made under a large elm tree where the monument now stands. The City of Philadelphia was laid out on the express orders of the founder, William Penn, and it was the wisdom of William Penn that provided the freedom of worship and political liberty combined with the unusual opportunity for free economic enterprise that made Philadelphia and Pennsylvania a leader in matters of politics, business, industry, art and culture. This treaty lasted seventy years and was the longest treaty made with the Indians in the history of America which relieved the Colonies of hardship and suffering.

Mr. Speaker, in the catalog of Historical sites and remains in Pennsylvania of March, 1949, Treaty Park is not included in the catalog because in my opinion they are ashamed to view this park in the condition that it is in in the present time.

On the left of this House of Representatives chamber is a large painting of that famous treaty made under the old elm tree in the village of Shackamaxon on the Delaware.

Therefore, I am asking the Members of this House, the Minority and Majority Leaders, Senator Meade and the Governor not to permit any person or persons to destroy this historic shrine but on the other hand to help to restore it as a historical shrine, and this bill reported out of Committee.

RESOLUTIONS

CONDOLENCE

Messrs. ROYER, WOOD and BOMBERGER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 6, 1949.

The attitude of this House has ever been that the death of a Mother is always a tragedy. It is therefore with the greatest sadness that we attempt to extend condolence to Paul G. Murray.

His Mother, Mrs. Amelia Kready, died at St. Joseph Hospital in Lancaster last Tuesday.

Mrs. Kready was a daughter of John and Elizabeth Good. She was the wife of the late Alfred B. Kready.

A member of the First Evangelical and Reformed Church, she brought the dictates of christianity into her everyday life, and devoted her life to serving others; therefore be it

Resolved, That the Members of the House of Representatives extend their deepest and most sincere sympathy to Paul G. Murray, and remind him that though he has lost a Mother, she is happy in a greater life; and be it further

Resolved, That a copy of this resolution be sent to Hon. Paul G. Murray.

CONGRATULATIONS

Messrs. GOODLING, SEYLER and GREEN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 6, 1949.

Whereas, The basketball team of Aliquippa High School has scored a victory of 63-51 over the best team in the east, York High School, to win the State Class A Championship and

Whereas, The game was a real contest, with both teams giving their all and fighting to win and both coaches, Sammy Milanovich of Aliquippa and Don Cockley of York, comporting themselves as generals, conducting major campaigns, and displaying those qualities which winning coaches must possess and

Whereas, There pervaded and prevailed throughout the game a spirit of sportsmanship, which kept the game on a high level, clean, and in the best tradition of honest rivalry and graceful acceptance of results, therefore be it

Resolved, That the Members of the House of Representatives extend their heariest congratulations to the Aliquippa High School, its team and its coach on their victory and extend our appreciation to the York High School, its team and its coach, for their great effort, which made the game good, and be it further

Resolved, That copies of this resolution be forwarded to the principals of Aliquippa and York High Schools.

CONDOLENCE

Messrs. WESTRICK and EVANS offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 6, 1949.

On March 29, 1949, Michael Rovansek, father of Honorable Louis Rovansek, passed away at his home in Conemaugh at 72 years of age.

Mr. Rovansek was born in Yugoslavia and came to America in 1899 and settled at Forest City, Pennsylvania.

Later, Mr. Rovansek moved to Conemaugh in 1900 where he continued to reside until his death.

He was an active member of the United Mine Workers of America since 1902 and the supreme officer of the American Fraternal Union for many years. In addition to which he was active in many other fraternal organizations and in the civic affairs in his community.

His wife and he raised a fine upright American family of ten boys and two girls and with the exception of one son and one daughter, they all have survived him.

The House of Representatives hereby expresses its sincere sympathy to Honorable Louis Rovansek upon the death of his father and herewith directs the Chief Clerk of this House to transmit a copy of this resolution to our highly regarded member, the Honorable Louis Rovansek and to the bereaved family of Michael Rovansek.

REPORTS FROM COMMITTEES

Mr. FILO from the Committee on Motor Vehicles, reported as amended, House Bill No. 718, entitled:

An Act to further amend sections six hundred eight, one thousand two hundred one, and one thousand two hundred eighteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officeers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring a re-examination of operators involved in a traffic accident; providing for the issuance of summons on sight for violations of this act and requiring pedestrians to comply with traffic signals and officers directing traffic.

Mr. O'DONNELL from the Committee on Judiciary, reported as amended, Senate Bill No. 200, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties.

Mr. WAGNER from the Committee on Ways and Means, reported as committed, House Bill No. 1319, entitled:

An Act to amend sections four and ten of the act, approved the second day of July, one thousand nine hundred and forty-seven (P. L. 1199), entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by decreasing the amount of the permanent tax imposed thereunder; by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof.

Mr. KLINE from the Committee on Ways and Means, reported as committed, Senate Bill No. 432, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven, (P. L. 998), entitled "An act imposing a tax for State purposes on marine insurance underwriting profits, and providing for the collection of such tax," by making the tax payable at the time reports are made.

Mr. KLINE from the Committee on Ways and Means, reported as committed, Senate Bill No. 433, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recover of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation reguired to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue and fixing penalties

Mr. BOORSE from the Committee on Counties, reported as committed, Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district.

Mr. BRANDON from the Committee on Judiciary, reported as committed, Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill 1319, entitled:

An Act to amend sections four and ten of the act, approved the second day of July, one thousand nine hundred and forty-seven, (P. L. 1199), entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by decreasing the amount of the permanent tax imposed thereunder; by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue, and fixing penalties.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 167

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 167, Printer's No. 101, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. SCOTT. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BRUNNER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Carbon, Mr. Scott vote on the final passage of this bill?

Mr. SCOTT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner vote on the final passage of this bill?

Mr. BRUNNER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. Scott. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, third from last line of title, by striking out the words "of such institutions."

Amend title, page 1, third from last line of title, by inserting after the word "Commonwealth" the following: "for the care, maintenance and treatment of mental patients of such institutions and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions."

Amend title, page 2, second and third lines of title, by striking out the word "township" and inserting in lieu thereof: "townships."

Amend title, page 2, line 7 of title, by striking out the word "cites" and inserting in lieu thereof: "cities."

Amend Sec. 1, page 3, line 1, by striking out the words "of such institutions."

Amend Sec. 1, page 3, line 2, by inserting after the part-word "wealth" the following: "for the care, maintenance and treatment of mental patients of such institutions and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions."

Amend Sec. 1, page 3, lines 5 and 6, by striking out the word "township" and inserting in lieu thereof: "townships."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

MEMBERS THANKED

The SPEAKER. The Chair desires to thank the Members for their patience and attentiveness during the long session today. They are to be commended for their conduct and behaviour.

COMMITTEE MEETINGS

Education, Room 324, Thursday, April 7, at 10.00 a. m.

Highways, Room 329, Thursday, April 7, at 10:30 a. m.

Professional Licensure, Room 325, Thursday, April 7, at 10:45 a. m.

ADJOURNMENT

Mr. CONWAY. Mr. Speaker, I move that this House do now adjourn until Thursday, April 7, 1949, at 11 a. m.

The motion was agreed to, and (at 5:15 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., THURSDAY, APRIL 7, 1949. No. 42.

SENATE

THURSDAY, April 7, 1949.

The Senate met at 12:00 o'clock M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. Father ROY C. KEEFER offered the following prayer:

We pray Thee, O Almighty and Eternal God, Who through Jesus Christ hast revealed Thy glory to all nations, to enlighten this Senate in the faithful execution of the laws of justice and mercy.

Let the light of Thy divine wisdom direct the deliberations of this Assembly; and let it shine forth in all the proceedings and laws framed for our rule and government. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 10
PRINTER'S No. 22.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 10, Printer's No. 22, entitled "An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred five (P. L. 46) entitled 'An act authorizing the municipalities of the Commonwealth to vacate in whole or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation' eliminating the requirement that the portion vacated shall have remained unopened for thirty years and providing that vacated portions shall not be any part of a State Highway route and validating vacations heretofore made."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 44,
PRINTER'S No. 46.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 44, Printer's No. 46, entitled "An Act requiring the consent of the electors of any political subdivision when such political subdivision or any part thereof is to be annexed by a city of the first class."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 51,
PRINTER'S No. 42.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 51, Printer's No. 42, entitled "An Act to further amend subsection (b) of section three of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended 'An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties' by clarifying the provision with regard to appeals."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 139,
PRINTER'S No. 140.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 139, Printer's No. 140,

entitled "An Act to further amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled 'An act fixing the pay and mileage of jurors and witnesses' changing the compensation to be received by jurors."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 239, PRINTER'S No. 100.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 239, Printer's No. 100, entitled "An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. K. A. Gillespie, 1011 Main Street, Honesdale, Wayne County, for reappointment as a Member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold D. Woolridge, Clearfield, Clearfield County, for reappointment as a Member of the Board of Trustees of Lock Haven State Teachers' College, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Millard G. Shriver (Republican), 643 East High Street, Waynesburg, Greene County, for appointment as a Member of the Greene County Board of Assistance, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice John A. Stachura, Greensboro, whose term expired.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 7, 1949.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Howard J. Bartrem, Etna.
A. M. Berlin, Pittsburgh, 929 Penn Ave.
Mrs. Elizabeth A. Dreibhold, Pittsburgh, City-County Bldg.
Bernard A. Feldman, McKeesport.
Arnold E. Feuerlicht, Pittsburgh, 7138 Hamilton Ave.
Miss Rebecca L. Harper, Pittsburgh, 2015 Centre Ave. (19).
Francis J. King, Emsworth.
Miss Clara Mohlman, McKeesport.
R. Bruce Myers, Sewickley.
Ernst R. Nickel, Pittsburgh, 1200 Century Bldg.

BEAVER COUNTY

D. Roy Mackintosh, Ambridge.

BERKS COUNTY

Mrs. Helen C. Dunlap, Reading.
Lester W. Keener, Bethel Twp., Bethel.

BLAIR COUNTY

Mrs. Margaret T. Crider, Altoona.

BUTLER COUNTY

John G. Laughner, Butler.

CAMBRIA COUNTY

Mrs. Mary S. Berkey, Johnstown.

CLARION COUNTY

Chester H. Byerly, New Bethlehem.

ERIE COUNTY

James Pattison, Erie.

FAYETTE COUNTY

Thomas E. Babbony, Springhill Twp., Lake Lynn.

GREENE COUNTY

Mrs. Pauline B. Donnelly, Waynesburg.

LANCASTER COUNTY

Miss C. Phyllis Lawrence, Lancaster.
Miss Esther K. Meyer, Manheim Twp., N. Prince St. & McGovern Ave., Lancaster.

LEBANON COUNTY

Harold S. Heisey, Lebanon.

MONTGOMERY COUNTY

John E. Christ, Hatboro.
Willis K. Lederach, Lower Salford Twp., Lederach.
Jocab J. Ruser, Conshohocken.

NORTHAMPTON COUNTY

Placid Mammana, Easton.
Joseph F. Yonik, Bethlehem.

PHILADELPHIA COUNTY

Silvio G. Biagini, Phila., 3210 Memphis St.
Miss Marie D. Biggi, Phila., 4th & Race Sts. (5).
W. J. Feix, Phila., 4721 Chestnut St.
W. J. Grindlay, Phila., 501 W. Olney Ave.
Harry Levy, Phila., 3114 W. Gordon St.
Miss Regina J. McDonald, Phila., NW Cor. Broad & Chestnut Sts.
Robert McElhinney, Phila., 616 Bulletin Bldg.
R. J. Pearce, Phila., 130 Spring Garden St.
Robert J. Trueman, Jr., Phila., 1529 Walnut St.
W. F. Walsh, Phila., NW Cor. Broad & Christian Sts.
Mrs. Carole S. Ziernicki, Phila., 4173 Germantown Ave. (40).

SCHUYLKILL COUNTY

Miss Marie A. Flail, North Manheim Twp., P. O. Box 146, Schuylkill Haven.

WASHINGTON COUNTY

Mrs. Mary B. Snyder, Donora.

WESTMORELAND COUNTY

Francis T. Campfield, Sewickley Twp., Herminie.

To compute from dates set opposite their names:

PHILADELPHIA COUNTY

J. Horace Adams, Phila., 932 W. Lehigh Ave, 4-7-49.

WASHINGTON COUNTY

Miss Frances Ross, Washington, 4-7-49.

ALLEGHENY COUNTY

Mrs. Elsie T. Paige, Pittsburgh, 2037 Centre Ave. (19), 4-11-49.

BEDFORD COUNTY

Miss Eliazbeth Madore, Bedford, 4-16-49.

PHILADELPHIA COUNTY

Miss Margaret A. Carton, 508 Bulletin Bldg., 4-16-49.

VENANGO COUNTY

Charles A. Staab, Cornplanter Twp., Oil City Glass Bottle Co., Oil City, 4-19-49.

JAMES H. DUFF.

CONSIDERATION OF NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. HARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 603

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 6, 1949.

Resolved (If the House of Representatives concur), That Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 450

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 450, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further defining the scope of the act, and by authorizing nonprofit medical service corporations to provide services by doctors of osteopathy to subscribers.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 451

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 451, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "Nonprofit Medical Service Corporation Act," by including in the plan "doctors of osteopathy" and further defining "medical services."

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1134

He also presented communication from the House of

Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1134, entitled:

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1192

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1192, entitled:

An Act to further amend section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 460, entitled:

An Act to reenact, amend and revise the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law."

Which was committed to the Committee on Local Govevrnment.

House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association; and providing for the payment of dues of such associations by counties.

Which was committed to the Committee on Local Government.

House Bill No. 762, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes, and providing for payment thereof to counties making like expenditures of county funds.

Which was committed to the Committee on Appropriations.

House Bill No. 780, entitled:

An Act to further amend sections seven and eighteen of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision.

Which was committed to the Committee on Labor and Industry.

House Bill No. 875, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for a uniform maximum rate of speed for all vehicles.

Which was committed to the Committee on Highways.

House Bill No. 1061, entitled:

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory or correctional institution, hospitals for the insane, or any institution for the feeble minded or epileptic persons, for inebriates or for juvenile delinquent and dependents, maintained in whole or in part by the Commonwealth or any county within the Commonwealth, who are injured in the performance of their duty in certain cases; and providing that absence during such injury shall not reduce any usual sick leave period, and also providing for recourse to pension privileges in the event of permanent disability.

Which was committed to the Committee on State Government.

SENATE BILL No. 177 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 177, entitled:

An Act to amend the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds imposing duties on the Auditor General, providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 485 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 450, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further defining the scope of the act, and by authorizing nonprofit medical service corporations to provide services by doctors of osteopathy to subscribers.

House Bill No. 451, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "Nonprofit Medical Service Corporation Act," by including in the plan "doctors of osteopathy" and further defining "medical services."

House Bill No. 723, entitled:

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

House Bill No. 1134, entitled:

A Supplement to the act, approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

House Bill No. 1192, entitled:

An Act to further amend section twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by providing for a closed season of thirty days prior to the beginning of trout season in certain cases.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. DIEHM, from the Committee on Banking, reported as amended, Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation, and to validate such actions heretofore performed by such corporations.

Mr. T. NEWELL WOOD, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 286, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating certain obsolete provisions thereof, clarifying certain definitions and terms, changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

Mr. ROBINSON, from the Committee on Labor and Industry, reported as committed, House Bill No. 518, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing

and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," prescribing limitations upon enforcement of payments by employers of contributions, interest and penalties.

Mr. WADE, from the Committee on Banking, reported as committed, House Bill No. 933, entitled:

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or with fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and cetain State depatments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by providing for the voluntary liquidation and dissolution of banks, bank and trust companies, and trust company and repealing certain acts and parts of acts.

He also, from the Committee on Banking, reported as committed, House Bill No. 554, entitled:

An Act to further amend Sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-one (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

He also, from the Committee on Banking, reported as committed, House Bill No. 553, entitled:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 592, entitled:

An Act authorizing the Joint State Government Commission to make a codification of the insurance laws of the Commonwealth; providing for the appointment of an insurance law codification committee; authorizing the employment of necessary assistants; prescribing the powers and duties of the committee; and making an appropriation.

Mr. LANE, from the Committe on Labor and Industry, reported as committed, House Bill No. 776, entitled:

An Act to further amend sections four and fourteen of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violataion of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen, and which permitted examinations of physical fitness to be made by any licensed physician.

Mr. HALUSKA, from the Committee on Education, reported as amended, House Bill No. 1068, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act

relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school buildings or athletic fields for charitable purposes.

Mr. SCARLETT, from the Committee on Labor and Industry, reported as amended, Senate Bill 367, entitled:

An Act to further amend sections four, three hundred one and five hundred one of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2896), entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for modification of the manner in which employer contribution rates are determined.

Mr. CHAPMAN, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 490, entitled:

An Act to provide for the prompt, peaceful and just settlement of labor disputes between employers engaged in public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission and their employes which threaten to cause an interruption of such transportation facilities; prescribing procedure for the adjustment and settlement of such disputes by collective bargaining and the intervention of a conciliator; prohibiting for a certain period of time, but preserving the right to strike, stop work or lockout, and conferring jurisdiction upon the courts of common pleas to enforce compliance with the provisions of the act.

BILLS INTRODUCED AND REFERRED

Mr. WADE on behalf of Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 872, entitled:

An Act defining the liability of political subdivisions for damages resulting from the grading of streets and roads in those cases where the grade as established, differs from the natural grade of such street or road.

Which was committed to the Committee on Highways.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 873, entitled:

An Act concerning the oath of allegiance and office and providing for the taking of the same as a prerequisite to the assumption or holding of public office, position or employment in this State.

Which was committed to the Committee on State Government.

Mr. ROBINSON read in his place and presented to the Chair Senate Bill No. 874, entitled:

An Act to further amend subsection (b) of section sixteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring the registration commission to divide the county into registration centers and to provide registrars to sit therein for the registration of the electors in any borough town or township in the county.

Which was committed to the Committee on Elections.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

Which was committed to the Committee on Judiciary General.

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 876, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims, and providing for the hearing, adjustment and payment of moral claims of persons injured while members of the Pennsylvania National Guard through the negligence of fellow members of the Pennsylvania National Guard in certain cases.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. RUTH and WADE read in place and presented to the Chair Senate Bill No. 877, entitled:

An Act establishing the Pennsylvania State Firemen's Training School, providing for its operation and maintenance by the Department of Public Instruction, authorizing the acquisition of a site, either by gift or purchase by the Commonwealth, or by The General State Authority or the use of land now owned by the Commonwealth; providing for the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth; and conferring powers and imposing duties upon the Department of Public Instruction and the Public Service Institute Board.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I have often been greatly impressed by the evidence of the keen research into governmental problems displayed by the dean of our legislative correspondents, Charles G. Miller of the Harrisburg Evening News. I was never more so impressed than I was with one of his recent articles when I read his column dealing with the efforts being made in other States to meet the problem of communistic encroachments. He pointed out that many States have taken, or have under consideration, steps to deprive communists of benefits of various kinds, including public assistance payments and the like. He further pointed out that no such steps have yet been taken in Pennsylvania.

I have prepared and am submitting a bill to meet this deficiency. In presenting this bill for your earnest consideration, I believe it touches a vital spot in the body politic of Pennsylvania. All of us condemn Communism. None of us wants this evil system to find root in our democratic system. All of us who have enjoyed freedom and liberty under the Christian ethic would never exchange it for the regimentation of atheism, as so powerfully put a short time ago by that eminent British statesman, Winston Churchill.

However, we talk about it and yet do very little. We must find some medium where we can translate words into action. I have such a bill and within it I propose an antidote. Communism thrives only amidst poverty, suppression and disillusionment. It takes strong root amongst the idle and those unfortunately temporarily deprived of employment. Hence, it is imperative that we keep undefiled and truly American the ranks of our people temporarily unemployed and accordingly anyone who advocates the revolutionary overthrow of our Government as a Communist should be denied the help of the government it condemns. This bill will, therefore, in short deny relief, to use the language of the street, "to one who bites the hand that feeds him."

BILLS INTRODUCED AND REFERRED

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 878, entitled:

An Act prohibiting certain officers of the Commonwealth of Pennsylvania from certifying or approving for payment Workmen's Compensation, occupational disease compensation, unemployment compensation or public assistance to any person who advocates or participates in un-American or subversive doctrines as herein defined, and permitting appeals to courts of common pleas and appelate courts in all cases.

Which was committed to the Committee on State Government.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 879, entitled:

An Act to amend the first paragraph and clauses (1) and (3) of subsection (b) of section two hundred one, of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to prvide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the erection of buildings for the administration of said act on land in or in the immediate vicinity of the City of Harrisburg presently owned by the Commonwealth, and the conveyance or leasing of such land to persons, firms or corporations for such purpose, and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of such lease.

Which was committed to the Committee on Labor and Industry.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 880, entitled:

An Act to add section fifteen point one of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by conferring jurisdiction upon courts of common pleas in divorce actions to determine the custody of minor children born of the marriage or adopted by the parties; to fix support orders for the maintenance of such children in certain cases and providing for the enforcement of such orders.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Education, reported as amended, Senate Bill No. 408, entitled:

An Act to add section one thousand fifty-four point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the establishment of child behavior clinics in the offices of county superintendents and providing for the appointment of psychologists psychiatrists and psychiatric social workers for the operation of said clinics.

He also from the Committee on Education, reported as amended, Senate Bill No. 616, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for officers and employes of the Department of Public Instruction including State Teachers' Colleges, Thaddeus Stevens Trade School, Pennsylvania State Oral School for the Deaf and the Pennsylvania Soldiers' Orphan School to withdraw from the Retirement System and receive reimbursement for moneys paid in.

He also from the Committee on Education, reported as amended, Senate Bill No. 617, entitled:

An Act to further amend clause six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing that certain employes of the Department of Public Instruction who are not members of, or who may withdraw from, the public school employes' retirement association may become employes of the State Employes' Retirement Association and receive credit for their service.

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 982, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by eliminating the Board of Fish Commissioners creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission and further prescribing its powers and duties.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 551 FROM THE GOVERNOR

Messrs. MAHANY and STEVENSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 6, 1949.

Resolved (if the House of Representatives concur), that Senate Bill No. 551, Printer's No. 190, entitled "An act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years," be recalled from the Governor for the purpose of amendment.

EXECUTIVE NOMINATIONS

A motion was made by Mr. LORD, JR. and Mr. WALKER,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MIFFLIN COUNTY

John D. Tyson (Republican), The Standard Steel Works Division of the Baldwin Locomotive Works, Burnham, Mifflin County, to serve until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

WESTMORELAND COUNTY

Clyde S. Waugaman (Republican), 426 Franklin Avenue, Vandergrift, Westmoreland County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice Robert M. Withington, Vandergrift, resigned.

JAMES H. DUFF.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr. WALKER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there obection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, House Bill No. 279, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within the bituminous regions and regulating mining and the removal of natural surface support in cities.

Mr. CROWE. Mr. President, I want to say this is the bill that will take care of the subsidence condition at New Kensington, Pennsylvania.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 566, as follows:

An Act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operale highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Departments of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That this act may be cited as the "State Highway and Bridge Authority Act"

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean the body politic and corporate created by this act

(b) The term "Department" shall mean the Department of Highways as the same exists under the Administrative Code of one thousand nine hundred twenty-nine or as it may exist by amendment of said code

(c) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to construct reconstruct improve maintain equip furnish or operate under the provisions of this act

(d) The term "Board" shall mean the governing body of the Authority

(e) The term "person" shall mean and include natural persons firms associations corporations business trusts partnerships and public bodies

(f) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(g) The term "bonds" shall mean and include the notes bonds and other evidences of indebtedness or obligations which the Authority is authorized to issue pursuant to section four (i) of this act

(h) The term "construction" shall mean and include acquisition construction and reconstruction the term "to construct" shall mean and include to acquire to construct and to reconstruct all in such manner as may be deemed desirable

(i) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(j) The terms "equipment" "facilities" and "furnishings" shall mean and include any equipment and furnishings whatsoever as may be deemed desirable and required by the Department of Highways for the use of such project and the terms "to equip" or "to furnish" shall mean and include the installation of such equipment furnishings and facilities

Section 3 State Highway and Bridge Authority The Governor of the State the State Treasurer the Auditor General the Secretary of Internal Affairs the Secretary of Highways the Speaker of the House of Representatives and the President pro tempore of the Senate the minority leader of the Senate the minority leader of the House of Representatives and their respective successors in office and three citizens of Pennsylvania one to be appointed by the Governor one by the Speaker of the House of Representatives and one by the President pro tempore of the Senate are hereby created a body corporate and politic constituting a public corporation and governmental

instrumentality by the name of "The State Highway and Bridge Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members The term of the member appointed by the Governor shall expire with the term of the Governor appointing him The terms of the two other appointed members shall expire on the first Tuesday of January of the odd-numbered year following the date of their appointment Any vacancy happening among the appointed members of the Authority shall be filled by appointment by the Governor Speaker of the House of Representatives or President pro tempore of the Senate as the case may be

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing reconstructing improving equipping furnishing maintaining and operating State highways bridges viaducts toll bridges tunnels traffic circles on State highways maintenance sheds offices and garages and roadside rests (any and all of the foregoing being herein called "projects") The Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire under agreement with the Department of Highways with the approval of the Governor State highway bridges easements or rights of way necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease from the department any property real personal or mixed or any interest therein now owned or hereafter acquired by the Commonwealth of Pennsylvania with the approval of the Governor for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania or to the Department of Highways any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

(e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority not exceeding forty million dollars ($40,000,000) in the aggregate and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That no project shall be undertaken by the Authority hereunder unless and until the plans and specifications therefor have been submitted to and approved by the Department of Highways

Provided further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its political subdivisions nor shall the Commonwealth nor any of its political subdivisions be liable for the payment of principal of or interest on such obligations

Section 5 Cooperation with Department of Highways The Authority and the Department of Highways are hereby authorized to enter into agreements providing for mutual cooperation between them in the use of employes equipment and services incidental to the construction maintenance and operation of projects

Provided however That the Motor License Fund shall not be obligated for the payment of any sum or amounts in furtherance of the activities authorized by this act except and in accordance with the terms of agreements as herein authorized

Section 6 Purposes and Powers Bonds The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding thirty (30) years from their respective dates bear interest at such rate or rates not exceeding four per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids

the notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals the name of the officer to whom bids or proposals shall be delivered and a statement of the terms and conditions of sale provided that any of said bonds may be sold to the State Employes' Retirement board school employes' retirement board or to any other custodial board or fund or to the State Employes' Retirement Fund without advertisement or competitive bidding Pending the preparation of the definitive bonds interim receipts or temporary bonds may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues rentals or receipts of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement equipping furnishing maintenance and repair of any project or projects and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls rentals and other charges for use of the facilities of or for the services rendered by the Authority including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any tolls rentals or other charges are payable (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

The Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues rentals or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (i) the construction improvement operation equipping furnishing maintenance and repair of any project or projects and the duties of the Authority with reference thereto (ii) the application of funds and the safeguarding of funds on hand or on deposit (iii) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have the qualities of negotiable instruments under the law merchant and the negotiable instrument law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty (30) days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may (except as such right be limited under the provisions of any deed of trust indenture or other agreement as aforesaid) appoint a trustee to represent the bondholders for the purposes herein provided Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(a) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(b) bring suit upon the bonds

(c) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(e) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed or trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may (to the same extent that the Authority itself could so do) enter and take possession of the facilities of the Authority or any parts thereof the revenues rentals or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustees the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default Such trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

In addition to all other rights and all other remedies any holder of bonds of the Authority shall have the right by mandamus or other suit action or proceeding at law or in equity to enforce his rights against the Authority including the right to require the Authority to collect fees rental and other charges adequate to carry out any agreement as to or pledge of such fees rentals or other charges or income revenues and receipts and to require the Authority to carry out any of its covenants and agreements with the bond holders and to perform its and their duties under this act Provided how-

ever That nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board Within ninety (90) days after this act shall become effective the board shall meet and organize by electing from their number a president a treasurer and a secretary At the first regular meeting in each year thereafter they shall elect from their number a president a treasurer and a secretary

Seven (7) members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of A county of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such person or persons as the Authority may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth or its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

Section 10 Grants of Lands by Department to Authority The department shall have power and authority with the approval of the Governor to grant assign and convey to the Authority with or without consideration any lands easements or rights in lands together with any improvements buildings or structures therein or thereon now owned by the Commonwealth of Pennsylvania or hereafter acquired by it needed or convenient for the corporate purposes of the Authority or to lease to the Authority for a term not exceeding ninety-nine (99) years at a nominal or such other rental as may be determined any or all such lands easements or rights in lands together with any improvements structures or buildings therein or thereon

Section 11 Contracts to Lease and Leases by Department from Authority The department shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any or all of the projects undertaken by the Authority for a term with respect to each project constructed not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of the said projects the department shall have power and authority with the approval of the Governor to lease as lessee any or all of the projects completed by the Authority for a term with respect to each project leased not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority

Section 12 Acquisition of Lands Whenever additional lands or interests in lands are required by the Authority for promoting its corporate purposes the Department of Highways with the approval of the Governor shall have power and authority to acquire such lands by purchase or condemnation in the name of the Commonwealth and the procedure for acquiring such lands or interests in lands and for the payment of the resultant damages by the department for the taking by condemnation shall be in accordance with the provisions of the State Highway Law in such case made and provided The power hereby conferred upon the department shall not limit or restrict the power of the Authority itself to acquire lands or interests in lands in the name of the Authority

Section 13 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed equipped or furnished pursuant to a contract and the estimated cost thereof exceeds five hundred dollars ($500.00) such contract shall be awarded to the lowest responsible bidder after advertisement for bids The Authority may make rules and regulations for the submission of bids and the construction equipping furnishing or improvement of any project or portion thereof Such rules and regulations may provide for the submission of bids to the Department of Highways as agent for the Authority as provided in section five of this act No contract shall be entered into for construction equipping furnishing or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract and such contracts shall also be accompanied by an additional bond for the protection of those who furnish labor and material in such amount and subject to the same terms and conditions as required by the State Highway Law on contracts for the construction of State highways Nothing in this section shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable as may be requested by any Federal agency that may assist in the financing of such project or any part thereof

Section 14 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings such lands or interests in land as the Authority may deem necessary for any of the purposes mentioned in this act Provided however that where condem-

nation proceedings are necessary to acquire such land or interests in land the necessary action for acquisition and for the ascertainment and payment by it of the property damages resulting from the taking shall be in accordance with the provisions of the State Highway Law governing the taking of land or interests therein for the improvement of State highways

Section 15 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefit

Section 16 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction of any project or such portion thereof

Section 17 Exemption from Taxation The effectuation of the authorized purpose of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the Authority will be performing essential governmental functions in effectuating such purposes the Authority shall not be required to pay any taxes upon any property acquired or used by it for such purposes and the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 18 Appropriation So much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act is hereby appropriated for such purposes

Section 19 Constitutional Construction The provisions of this act shall be severable and if any of the provisions thereof shall be held unconstitutional such decisions shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 20 Effective Date This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Mallery,	Tarr,
Barrett,	Geltz,	McPherson, Jr.,	Taylor,
Berger,	Haluska,	Meade,	Toole,
Blass,	Hare,	Neff,	Wagner,
Chapman,	Holland,	Pechan,	Walker,
Crowe,	Homsher,	Peelor,	Watkins,
Dent,	Kephart,	Robinson,	Watson,
Diehm,	Lane,	Rosenfeld,	Wolfe,
DiSilvestro,	Leader,	Ruth,	Wood, L. H.,
Doehla,	Letzler,	Scarlett,	Wood, T. N.,
Donlan,	Lord,	Stevenson,	Yosko,
Farrell,	Mahany,	Stiefel,	

NAYS—3

Snowden,	Tallman,	Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on third reading, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and

restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 43, on third reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 45, on third reading, entitled:

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 107, as follows:

An Act to amend clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the number of signatures required on nominating petitions of associate judges unlearned in the law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 912 Number of Signers Required Nomination Petitions of Candidates at Primaries Shall Be Signed

* * * * *

(c) If for the office of Representative in Congress or of delegate or alternate delegate to a National party convention other than delegate or alternate delegate at large or of judge of any court of record other than a court whose judges are to be elected by a vote of the electors of the State at large or of State senator or of any municipal office to be filled by a vote of the electors of a senatorial district by at least two hundred registered and enrolled members of the proper party Provided That associate judges of any court of record unlearned in the law shall be required to have at least one hundred registered and enrolled members of the proper party

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 214, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as heretofore amended and reenacted by providing for creation and abolition of wards for the detachment of territory the election of councilmen for the election of a banking institution as borough treasurer for change in the fiscal year and for budgets tax levies and audits necessitated thereby for the acquisition and lease of lands and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance for the adoption of a plumbing code empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities authorizing the use of general fund moneys for pension purposes regulating contracts and sewer rentals and clarifying and revising certain provisions of said act

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Sections 425 430 601 606 811 901 1005 1006 1035 1105 1115 1136 1167 and 1178 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended and reenacted by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) are hereby further amended to read as follows

Section 425 Annexation Ordinance Limitation of Subsequent Proceedings Any borough may by ordinance annex adjacent land situate in a township of the second class in the same or any adjoining county upon petition and may attach such annexed territory to an existing ward or wards The petition shall be signed by a majority in number of all the freeholders of the territory to be annexed If an ordinance to make such annexation is defeated no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereof

Section 430 Petitions to Detach Territory The court of quarter sessions upon petition may change the limits of any borough by detaching territory therefrom and annexing the same to a contiguous township or borough in cases where the line between a borough and a township or another borough shall separate the lands of any person or where the territory of any borough is divided by reason of natural or artificial causes or where any part of a borough is so located that access to the remaining portion can be had only by passing through some other township or borough or where any part of a borough is so located that the convenience of the inhabitants thereof would be served by the detachment of such part

Section 601 Power of Court to Erect and Change Wards and to Alter and Establish Lines The court of quarter sessions upon petition may divided boroughs into wards erect new wards out of two or more adjoining wards or parts thereof consolidate two or more wards into one ward divide any ward already erected into two or more wards alter the lines of any two or more adjoining wards [or] cause the lines or boundaries of wards to be ascertained and established or abolish all existing wards

Section 606 Terms of Officers Whenever the court shall divide any borough into wards it shall appoint for each ward a judge and two inspectors of election to hold elections until such officers may be elected as provided by law In all other cases officers in office at the time any changes are made pursuant to the preceding sections of this article shall remain in office until the expiration of the terms for which they have been elected In case any vacancy shall occur the same shall be filled by the council until the first Monday of January next succeeding the election at which such officers are to be elected as provided in article eight of this act Where existing wards are abolished seven councilmen shall be elected at large at the first municipal election occurring at least ninety days after the confirmation of the report of viewers as provided in section 805 of this act in the case of newly created boroughs

Section 811 Election of Councilmen Where New Wards Created Whenever the court of quarter sessions shall divide any borough into wards erect new wards out of two or more wards or parts thereof [or] divide a ward already erected into two or more wards or create a new ward out of annexed territory and when the report in such case is confirmed by the court it shall at the same time decree the election of an equal number of councilmen in each of the wards in such manner as not to interfere with the terms of those theretofore elected Where a borough is first divided into wards the court shall fix the number of councilmen in each ward at not more than two In decreeing such election when the entire number of council shall be composed of an even number the decree shall be so made that one-half of the entire number shall thereafter be elected at each municipal election When the entire number of council shall be an odd number the court shall divide such council into two classes and shall make its decrees so that one-half of the entire number of councilmen less one shall as soon as possible take their office in a year divisible by four and the remaining number of councilmen shall take their office in an even-numbered year not divisible by four The apportionment shall be so made by the court that there shall be equal or as nearly equal as possible representation by wards in each class Biennially thereafter at each municipal election a sufficient number of councilmen shall be elected for the term of four years from the first Monday of January next succeeding to fill the places of those whose terms shall expire on the first Monday of January next following such election

Section 901 Filling Vacancies in Elective Borough Offices If any vacancy shall occur in the office of burgess member of council auditor controller or tax collector by death resignation removal from the borough or from a ward in the case of a ward office or by failure to take the required oath or to give bond as provided by law or ordinance or in any other manner whatsoever the borough council shall fill such vacancy by appointing [by resolution] a registered elector of the borough to hold such office for the unexpired term of the office

The person appointed shall give bond if required by law or ordinance

In cases where the person elected to the office shall fail to give bond if any required or to take the required oath the borough council before making the appointment shall declare the office vacant

Section 1005 Powers of Council The council of the borough shall have power

I To create by motion ordinance or resolution and appoint a solicitor an engineer a street commissioner and such other officers as it deems necessary

II To mitigate or remit fines and forfeitures in reasonable cases

III By resolution to make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue certificates of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

IV To appoint and revoke the appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository Such security may be bonds with corporate or individual securities to be approved by council or collateral security consisting of obligations of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof deposited with the borough or with any bank or

trust company within the Commonwealth of a market value of one hundred and twenty per centum of the amount of the deposit to be secured Any deposit of collateral shall be under proper agreement and be accompanied by proper assignment or power of attorney for the transfer of the collateral The borough treasurer shall deposit all borough funds in any depository so designated and when so deposited the borough treasurer shall be released and discharged from further liability on account of such deposit Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

V To secure such indemnity bonds or policies of insurance as it may deem necessary to protect the borough from loss by reason of fire flood windstorm burglary larceny negligence or dishonesty insolvency of a depository or otherwise and to pay for such protection the usual or customary costs

VI To make temporary investment of borough funds whether they be general special or sinking fund in bonds of the Federal Government the Commonwealth of Pennsylvania the bonds of the borough or in any other securities authorized by law for the investment of sinking funds of municipalities when in its judgment the interests of the borough will be enhanced thereby and to dispose of such securities when the funds may be needed by the borough Any such purchase or sale shall be made by the president and secretary of council on a resolution adopted by the council

VII To employ a certified public accountant by a two-thirds vote of the entire number of councilmen elected

VIII To make authorize and ratify expenditures for lawful purposes from funds available therefore or from funds borrowed within legal limits

Section 1006 Duties of Council It shall be the duty of the borough council

I To meet statedly at least once a month Council may adjourn to a particular time for general business or for special business If no quorum is present at a regular or adjourned meeting a majority of those who do meet may agree upon another date for like business and may continue to so agree until the meeting is held Special meetings may be called by the president of council or upon written request of at least one-third of the members thereof Members shall have at least twenty hours' notice of such special meetings The notice shall state whether it is for general or special purposes and if it is for special purposes the notice shall contain a general statement of the nature of the business to be transacted Presence at a meeting constitutes waiver of notice Council may adopt rules relating to the calling and holding of all meetings which rules shall supersede the provisions of this section

II To make and preserve full records of its proceedings

III To enact revise repeal and amend such [laws] bylaws rules regulations ordinances and resolutions not inconsistent with the laws of the Commonwealth as it shall deem beneficial to the borough and to provide for the enforcement of the same The legislative powers of boroughs including capital expenditures not payable out of current funds shall be exercised by or be based on an ordinance All other powers shall be exercised by vote of the majority of council present at a meeting unless otherwise provided Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor was previously given or if the action is subsequently ratified by council

IV Except where otherwise in this act provided to publish every ordinance or resolution of a legislative character once in one newspaper of general circulation in the borough

V To cause notices to be served as required by law or ordinance in a manner council may by motion or other action decide

VI To keep open for public inspection in a place provided by the borough any plans of highways that may be made

VII To appoint and remove a treasurer and secretary The treasurer and secretary shall not be members of council A bank or bank and trust company may be appointed as treasurer

VIII To fix the compensation of the treasurer and secretary and such other officers appointees and employes as it may appoint to be paid from the borough treasury by orders drawn thereon

IX To fix the amount of security to be given by the treasurer and of such other officers appointees and employes as it may designate

Section 1035 Auditors to Meet Yearly and Audit Accounts Uniform Forms (a) The auditors of the borough shall meet on the third Tuesday of January of the year one thousand nine hundred and fifty and on or before the fifteenth day of July of the year one thousand nine hundred and fifty and on or before the fifteenth day of July of each year thereafter

(b) The auditors shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and of any person committee and commission receiving or expending borough funds and shall prepare a report thereof which shall contain an audit of the accounts of the last fiscal period or last fiscal year as the case may be and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of the taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof Such report shall be prepared within sixty (60) days after the close of the fiscal period or fiscal year as the case may be

(c) The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has permitted or approved such expenditure but no elected or appointed official of a borough shall be surcharged for any act error or omission in excess of the actual financial loss sustained by the borough and any surcharge shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of officers nor to any penalty enuring to the benefit or payable to the Commonwealth

(d) In any matter involving any financial transaction any official knowingly and wilfully acting contrary to law or knowingly and wilfully failing to act as required by law is guilty of a misdemeanor and on conviction thereof may be sentenced to a fine not exceeding one hundred dollars ($100.00) and his office may be forthwith declared vacant as may seem meet and just to the court passing sentence

(e) After such report has been prepared and executed by the auditors it shall be the duty of the secretary of the borough to retain a copy and to file a copy of the report with the clerk of the court of quarter sessions of the county and the Department of Internal Affairs Such reports shall be filed by the secretary of the borough not later than the fifteenth day of April in the case of the audit of the accounts for the fiscal year ending on the first Monday of January one thousand nine hundred and fifty and not later than the first day of September in the case of the audit of accounts for any fiscal period or fiscal year thereafter Any secretary of the borough refusing or wilfully neglecting to file such report shall upon conviction in a summary proceeding be sentenced to pay a fine of five dollars ($5.00) for each day's delay beyond the last day for filing such report and costs If the failure to file such report within the period specified is due to the failure of the auditors to prepare [the statement upon which said report is based] and file their report in time said fine shall be imposed upon all of the auditors

(f) The uniform forms for the annual auditors' report and the annual financial statement hereinafter required to be made shall be prepared by a committee as provided in Article XIII of this act

Section 1105 Bond and Duties The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough council conditioned for the faithful performance of his duties He shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors or controller he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer or other person for the use of the borough shall be forthwith paid to the borough treasurer He shall deposit all moneys received by him in a bank or banking institution in the name of the borough All expenditures shall be paid out of funds in the treasury only when authorized by the treasurer upon an order signed by the president of the council and the borough secretary and also by the borough controller if any The signature of the president of the council may be a facsimile signature Such order shall not be executed unless there is money in the treasury available therefor

Section 1115 Appointment [On the first Monday of January or within within thirty days thereafter of each even-numbered year the] The borough council may appoint one person as street commissioner who shall serve [for a term of two years or] until his successor shall qualify

Section 1136 Rights of Members No person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say conviction of a crime or misdemeanor becoming a habitual drunkard [becoming a non-resident of the Commonwealth] or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1167 Offices Incompatible With Civil Service Commissioner No commissioner shall at the same time hold an elective or appointed office under the United States government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the council of the borough and one member a superintendent of schools

Section 1178 Manner of Filling Appointments Every position or employment in the police force or as paid operators of fire apparatus except that of chief of police or chief of the fire department or equivalent shall be filled only in the following manner the council shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon or a lesser number where three are not available who have received the highest average The council shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 1177 of this act Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name striken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the appointive power may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a noncompetitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this act

Section 2 Clauses VI XIX XXX LXI LXIV and LXV of Section 1202 of said act are hereby further amended to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

VI Comfort Stations To construct and maintain within the borough limits comfort and waiting stations and drinking fountains and to acquire or lease lands and buildings for such purposes and contribute to the maintenance thereof on private property The damages accruing to abutting properties by reason of any such improvements shall be ascertained and collected in the manner provided in article fourteen of this act

* * * * *

XIX Fire Apparatus and Houses To purchase or contribute to the purchase of fire-engines and fire-apparatus and supplies for the use of the borough and to appropriate money to fire companies and for the construction repair and maintenance of fire company houses including the acquisition of land for such purposes

* * * * *

XXX Other Insurance To appropriate such amounts as may be necessary to secure insurance or compensation for volunteer of companies duly recognized by the borough by motion or resolution firemen killed or injured while going to returning from or attending fires To make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring borough employes or any class or classes thereof under a policy or policies of insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the borough treasury for such purposes

* * * * *

LXI Building Codes by Reference To enact and enforce suitable ordinances relating to buildings their construction alteration extension repair maintenance and all facilities and services in or about such buildings and for the enforcement thereof and provide for the enforcement thereof by a reasonable fine and by instituting appropriate actions or proceedings at law or in equity to effect the purposes of this provision and ordinances thererunder At least one week and not more than three weeks prior to the presentation of the proposed building code ordinance to council an informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed building code may be examined or obtained shall be published in the manner provided by law for the publication of ordinances

To enact suitable ordinances relating to plumbing in the same manner and to the same effect as herein provided for building codes The building code and plumbing code may be combined or separately enacted

The provisions of the ordinance need not be advertised or recorded as in other cases but may be supplied by reference to a standard building code approved by the Department of Internal Affairs of the Commonwealth or to parts thereof determined by council or the provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the borough council or the provisions may consist of a standard code approved as aforesaid or

parts thereof and also further provisions typed or printed as aforesaid Copies of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such ordinance whether by reference to a standard building code or to a type or printed code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein The procedure set forth relating to the adoption of the ordinance by reference may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

* * * * *

LXIV Junk Yards To regulate or prohibit the establishment and maintenance of junk yards salvage yards and other places used and maintained for the collection storage and disposal of used or second-hand goods and materials

LXV Regulation of Charges in the Operation of its Utilities Parking Meters Parking Lots or its Other Facilities and Services to the Public [To] In the operation of its utilities parking meters parking lots and other facilities and services to make and regulate charges therefor for general borough purposes in relief of taxes on real estate

* * * * *

Section 3 Said act as amended and reenacted is further amended by adding section 1300 to Article XIII to read as follows

Section 1300 Fiscal Year The current fiscal year of each borough shall end with the day preceding the first Monday of January one thousand nine hundred and fifty There shall be a temporary fiscal period in each borough commencing with the first Monday of January one thousand nine hundred and fifty and ending with the thirtieth day of June one thousand nine hundred and fifty Thereafter the fiscal year in each borough shall commence on the first day of July of each calendar year and end with the 30th day of June of the next succeeding calendar year

Section 4 Sections 1301 1301.1 1304 1305 1308 1316 1735 1786 2171 3209 and 3304 of said act as amended and reenacted are further amended to read as follows

Section 1301 Tax Levy The council of the borough shall have power by ordinance to levy and collect annually any tax not exceeding fifteen mills for general borough purposes and in addition thereto such additional millage as may be sufficient to pay interest and sinking fund charges on the indebtedness of the borough Where the borough council by majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after [such] public notice for one week as it may direct [and after hearing] shall without delay proceed to a hearing on the petition If the court finds additional millage is required it may order a greater rate than fifteen [(15)] mills but not exceeding five additional mills to be levied The said taxes shall be levied on the dollar on the valuation assessed for county purposes as now is or may be provided by law All real property offices profesisons and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for such purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

The borough council shall make its tax levy on or before the seventh day of May of each year commencing with the year 1950 For the temporary fiscal period from the first Monday of January 1950 and ending with June 30th 1950 a tax levy may but need not be made on or before December 31st 1949 and the rate of any tax so levied shall not exceed one-half of the maximum rates specified in this section

Section 130.1 Additional Tax for Municipal Employes' Benefit The council of the borough shall have the power to levy and collect annually on the valuation assessed for general borough purposes as now is or may be provided by law an additional tax not exceeding one-half (½) mill to provide for pensions retirement or the purchase of annuity contracts for municipal employes This tax shall be kept in a separate fund and used only for the purposes herein provided If funds are available from the general tax levy appropriations may be made from the general fund for such purposes

Section 1304 Date Tax Duplicate to Issue The corporate authorities of the borough shall [as soon as possible after receipt of the assessment roll from the county] issue their duplicate of taxes assessed to the collector of taxes of the borough on or before the 25th day of January 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending with the 30th day of June 1950 where a tax levy has been made for that temporary fiscal period and on or before the 15th day of June 1950 and each year thereafter for each fiscal year

Section 1305 Preparation of Budget [(a)] During the month of [January] December of the year 1949 or previous thereto for the temporary fiscal period from the first Monday of January 1950 to June 30th 1950 and on or before the first day of April of the year 1950 and each year thereafter a proposed budget or annual or special period estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided The proposed budget shall be kept on file with the borough secretary and by him be made available for public inspection for a period of ten days

Section 1308 Adoption of Budget Tax Ordinance Upon completion [of] the budget containing the estimated receipts and expenditures [and its adoption] shall be adopted on or before the first day of January 1950 for the fiscal period beginning the first Monday of January 1950 and on or before the seventh day of May for each fiscal year thereafter by motion in council and it shall be the duty of the council to adopt an ordinance on or before the twenty-fifth day of January 1950 for the fiscal period commencing the first Monday of January 1950 and on or before the seventh day of May for each fiscal year thereafter levying the tax or taxes for the fiscal period or fiscal year as the case may be for approval of the burgess or passage over his veto

The fixing or changing of the compensation or bonds of officials may be made by vote of the council or may be embodied in the tax ordinance Any ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate tax ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council

Copy of the budget together with the tax ordinance shall be filed with the Department of Internal Affairs by the secretary of the borough within fifteen days after the adoption of the tax ordinance

Section 1316 Regulation of Contracts (a) All contracts or purchases in excess of five hundred dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are [available] employed for such publication and in case [of] weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days

notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing [the work to be done] the performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exception herein

(d) The contracts or purchases made by council involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any borough through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 1735 Whenever any streets more than one-half the width of which is within the limits of any borough shall divide the said borough from any other municipality or township [located within the same county] such street may be improved by the borough within which the greater width is located in the same manner as if the said street were entirely located within the limits of said borough

The property abutting on the side of said street which is located outside the limits of the borough making such improvements shall for a depth of one hundred fifty feet plus one-half the width of said street from its center line be assessed for any and all municipal improvements to or on the said street in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough

Section 1786 Contract Price Taken as Cost The [contract price] expenditures for such improvements and interest thereon to the first day when interest is payable on such bonds shall be taken as the cost of said improvements to be assessed on the property benefited according to existing law

Section 2171 How Rental Fixed Such annual rental shall not exceed the amount expended annually by the borough in the maintenance repair alteration inspection depreciation debt service or other expense in relation to such sewer or sewer system [and may include any interest on money] expended by the borough in the acquisition or construction of the sewer or sewer system The said annual or fixed sum shall be apportioned equitably among the several properties served by the said sewers

Section 3209 Estimates of Expenditures Report It shall be the duty of the board of health or appointed health officer or officers to submit annually to the council before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and council shall then proceed to make such appropriations as may be deemed necessary The board of health health officer or officers shall [in the month of January of each year] at the close of each fiscal year or fiscal period submit a report in writing to council of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough as may be necessary and council shall publish the same in their official journal

Section 3304 The council shall exercise the powers granted in [section 3301 hereby] this article by ordinance which shall provide for effecting of its purposes and for the enforcement of the regulations and restrictions established therein by reasonable fines and by [the] instituting appropriate actions or proceedings at law or in equity At least one week and not more than three weeks prior to the presentation of the proposed ordinance an [information] informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give [adequate] notice of its contents [pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs] and a reference to the place or places within the borough where copies of the proposed ordinance may be examined shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases [Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures] but may be supplied by reference to a [standard building] code [approved by the Department of Internal Affairs] or to parts thereof determined by the council or such provisions of the ordinance may be supplied by reference to a typed or printed [building] code prepared under the direction of or accepted by the council or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the provisions of the ordinances thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard [building] code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Meade,	Tarr,
Barrett,	Geltz,	Neff,	Taylor,
Berger,	Haluska,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wagner,
Chapman,	Kephart,	Robinson,	Walker,
Crowe,	Lane,	Rosenfeld,	Wolfe,
Dent,	Leader,	Ruth,	Wood, L. H.,
DiSilvestro,	Letzler,	Scarlett,	Wood, T. N.,

Doehla,	Lord,	Stevenson,	Yosko,
Donlan,	Mahany,	Stiefel,	
Farrell,	Mallery,		

NAYS—9

Diehm,	McPherson, Jr.,	Tallman,	Watkins,
Hare,	Snowden,	Wade,	Watson,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 402, on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further regulating the power and duties of credit unions their officers and employes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, as follows:

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervision and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended by adding at the end thereof a new subdivision to read as follows

Article IX

Special Provisions Affecting Local Authorities

(a) General Provisions

* * * * *

(b) Permanent State Aid to Cities Boroughs Towns and Townships

Section 921 Local Unit Road supervision The Secretary of Highways shall divide the State into local road districts no county having less than four hundred (400) miles of local rural roads shall be a separate district not more than four counties may be combined into one district For each district the secretary shall appoint an engineering assistant whose salary shall be fixed as in the case of other employes of the department The department shall provide the engineering assistants with adequate office facilities within the district to which each is assigned The expense thereof together with the salary and other expenses of the engineering assistant shall be paid by the department and shall not be deducted from any grant hereinafter provided for to be paid any city borough town or township

Section 922 Powers and Duties The engeneering assistants shall have power and their duties shall be

(1) To act as advisor to local authorities in technical and administrative matters

(2) To assist local authorities to obtain heavy road equipment when needed on a rental basis either from the department or from other sources

(3) To supervise all construction and maintenance projects prior to the payment by the Commonwealth of supplemental grants hereinafter provided for

Section 923 State Aid to Cities Boroughs Towns and Townships of the First Class The Commonwealth shall pay to each city borough town and township of the first class each year commencing the first day of January one thousand nine hundred fifty the sum of four hundred ($400) dollars for each mile of roads and streets in the unit not maintained by the department under the provisions of the act to which this is an amendment and its amendments

Section 924 State Aid to Townships Second Class The Commonwealth shall pay to each township of the second class each year commencing the first day of January one thousand nine hundred fifty the sum of one hundred twenty ($120) dollars for each mile of township roads in the township to be known as "basic grants" and in addition thereto shall pay "supplemental grants" for the construction reconstruction resurfacing and surface maintenance of types of roads classified as improved by the department Supplemental grants shall be paid only upon agreement between the department and the township and where the township pays one-half or more of the cost of such work and shall not during any biennial period exceed one-half of the amount of the basic grant to the township for that period

Section 925 Classification of Second Class Township Roads The township supervisors in cooperation with the department shall classify all township roads in townships of the second class into primary and secondary roads in accordance with (1) the volume of traffic or average daily use of the roads by commercial vehicles and passenger cars and (2) the character of traffic or use as school bus routes mail routes milk or dairy routes or as access to churches and other places of community gatherings Primary roads shall be limited to one-half of the total mileage of locally maintained township roads and shall be the only mileage on which the supplemental grants provided for in section nine hundred twenty-four of this act may be applied

Section 926 Foremen In second class townships the supervisors of each second class township shall appoint a foreman who may be a member of the board of supervisors to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen

Section 927 Determination of Mileage Payments The calculation of mileage shall be determined annually by the department from reports submitted by the cities boroughs towns and townships The terms "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The payments hereby authorized shall be made in the manner provided by law on requisition of the secretary to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year and when received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the

corporate authorities of said political subdivisions directly or by contract let but only after approval of the department as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the department under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions Provided That in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the department under the provisions of existing laws the money paid to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this section shall be construed to permit the State funds to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Nothing herein contained shall be construed to prevent the use of any moneys paid by the Commonwealth hereunder for Federal projects sponsored by the political subdivision or for county aid work relating to the improvement of roads and bridges

Section 931 Cost Report to Department Each political subdivision shall submit to the department a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys paid by the Commonwealth in such detail as may be required by the department In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the department to such political subdivision until such reports have been made and approved

Section 932 Effect on Tax Levy The corporate authorities of each political subdivision shall each year at the time of fixing the real estate tax rate for highway road and street purposes give consideration to the anticipated revenue to be received under the provisions of this act

Section 933 Copies of Laws and Regulations The Department of Highways shall issue to the corporate authorities of the said political subidivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be paid and expended

Section 934 Appropriation As much of the moneys from time to time in the Motor License Fund as are necessary are hereby appropriated to the department for the payment of grants and expenses in connection therewith authorized by this subdivision of this article

Section 2 The provisions of Subsection (e) of Section Ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An Act imposing a state tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain state officers and departments providing for refunds imposing penalties and making an appropriation" as amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (Act no. 23) is hereby repealed except in so far as it directs the payment of one cent per gallon of the additional tax into the Motor License Fund

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 461, as follows:

An Act to add subdivision (f) to section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life subject to certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies asociations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding after subdivision (e) a new subdivision to read as follows

Section 202 Purposes for Which Companies May Be Incorporated

* * * * *

(f) Domestic stock and mutual insurance companies other than life or title and if their charters permit foreign companies may transact any or all of the kinds of insurance included in subdivisions (b) and (c) of this section upon compliance with all of the financial and other requirements prescribed by the laws of this common-

wealth for fire marine fire and marine and casualty insurance companies transacting such kinds of insurance any domestic mutual fire insurance company which takes advantage of the provisions of this subsection (f) shall not be required to license any of its agents

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
DiSilvestro,	Lord,	Snowden,	Wolfe,
Doehla,	Mahany,	Stevenson,	Wood, L. H.,
Donlan,	Mallery,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 625, as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operation thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehirles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(c) No vehicles except motor buses and fire department equipment shall exceed a total maximum length including any load thereon of three hundred ninety-six (396) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Motor buses shall not exceed a length of [four hunhundred twenty (420) inches except motor buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches provided that a bus in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than (6) inches from the path of the drawing vehicle's wheels

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Geltz,	Neff,	Tarr,
Barrett,	Haluska,	Pechan,	Taylor,
Berger,	Hare,	Peelor,	Toole,
Blass,	Holland,	Robinson,	Wade,

Crowe,	Homsher,	Rosenfeld,	Wagner,
Dent,	Kephart,	Ruth,	Walker,
Diehm,	Leader,	Scarlett,	Watkins,
DiSilvestro,	Letzler,	Snowden,	Watson,
Doehla,	Lord,	Stevenson,	Wolfe,
Donlan,	Mahany,	Stiefel,	Wood, L. H.,
Farrell,	McPherson, Jr.,	Tallman,	Wood, T. N.,
Frazier,	Meade,		Yosko,

NAYS—3

Chapman,	Lane,	Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 636, as follows:

An Act to further amend section six hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the issuance of agents' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 990) is hereby further amended to read as follows

Section 603 Agent's Licenses The Insurance Commissioner may issue upon certification as aforesaid by any company association or exchange authorized by law to transact business within this Commonwealth an agent's license to any person of at least twenty-one years of age and to any copartnership or corporation No license as agent shall be granted to any corporation unless by provisions of its charter it is authorized to engage in the business of insurance or real estate and unless individual licenses are also secured for each active officer of such corporation and no license shall be granted to a copartnership or firm unless individual licenses are also secured for each active member of such copartnership or firm Before any such license is granted the applicant shall first make answer in writing and under oath to interrogatories on forms and supplements such as the Insurance Commissioner shall prepare and submit which answers shall be vouched for by indorsement of the company association or exchange interested and to the effect that the applicant is of good business reputation and of experience in underwriting other than soliciting and is worthy of a license [Provided That any licensed agent who shall have held for a continuous period of five years] Provided That any applicant who shall have held for any period during the five years immediately preceding the application a license to transact as agent any class or kind of insurance business for any company association or exchange authorized to transact business within this Commonwealth shall be entitled upon proper application to receive a license to transact as agent the same class or kind of insurance business for any other company association or exchange so authorized to transact business without the necessity of submitting to an examination When the Insurance Commissioner is satisfied that the applicant is worthy of license and that he is reasonably familiar with provisions of the insurance law of this Commonwealth he shall issue a license stating that the company association or exchange represented by the agent has complied with the requirements of law and has been authorized by the Insurance Commissioner to transact business within this Commonwealth and that the agent has been duly appointed by the company association or exchange named in the license Licenses of life insurance agents shall expire annually at midnight of March thirty-first licenses of fire insurance agents shall expire annually at midnight of September thirtieth and the licenses of casualty and health and accident insurance agents shall expire annually at midnight of [November thirtieth] December thirty-first unless sooner terminated as the result of severance of business relations between the company association or exchange and the agent or unless revoked by the Insurance Commissioner for cause [Licenses for fire insurance agents and for casualty and health and accident insurance agents issued to expire at midnight March thirty-first one thousand nine hundred and thirty-four are hereby extended until midnight of September thirtieth and November thirtieth one thousand nine hundred and thirty-four respectively in accordance with the expiration dates fixed by this act The department shall collect an additional fee for each such license extended at the rate of one-twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses are extended] Licenses for casualty insurance agents issued to expire at midnight November thirtieth one thousand nine hundred forty-nine are hereby extended until midnight December thirty-first one thousand nine hundred forty-nine The department shall collect an additional fee for each such license extended at the rate of one twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses are extended Any person whose license is revoked may appeal to the court of common pleas of Dauphin County within thirty days of the date of receipt by registered mail of a notice of the fact of such revocation Nothing in this section shall be construed as applying to domestic mutual fire insurance companies

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670, as follows:

An Act to amend section six hundred one six hundred four seven hundred one seven hundred two and seven hundred three of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by specifying dates with respect to the preparation and submission of assessment rolls the inspection of such rolls notices to taxpayers appeals from assessments and hearings thereon the certification of assessed valuations and the delivery of assessments to taxing districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six hundred one and six hundred four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designat- the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" are hereby amended to read as follows

Section 601 Preparation of Assessment Roll Annually on or before the first day of [September] December the chief assessor shall from the returns made by the local assessors prepare and submit to the board in the form prescribed by the board an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person by the assessor The chief assessor shall at the same time prepare and submit a list of all property exempted by law from taxation The making of triennial assessments as provided by existing law is hereby abolished

Section 604 Assessment Roll to Be Open for Public Inspection The assessment roll shall be open to public inspection at the offices of the board at the county seat during ordinary business hours of each business day from the time of completion and delivery to the board to and including the first day of [October] January Upon receipt of the assessment roll from the chief assessor the board shall give notice by publication in at least one and not more than three newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file a statement in writing designating the assessment appealed from with the board on or before the [fifteenth day of November] first day of February

Section 2 Section seven hundred one of the act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the [first day of September] thirty-first day of December the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall thereupon cause to be mailed or delivered to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of [October] February a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of [October] February file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggritved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

Section 3 Sections seven hundred two and seven hundred three of said act are hereby amended to read as follows

Section 702 Appeal Hearings On the first business day following the first of [October] February the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have been heard and the appeals acted upon but not later than the [first day of December] fifteenth day of March The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel At such hearing the board shall

inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and as may be permitted under the rules of the boa the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

Section 703 Correction of Assessment Roll Preparation of Duplicates When the board has completed the hearing of appeals and has in each case entered its order the chief assessor shall make such changes in the assessment roll as will make it conform to the orders of the board When such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the first day of [February] May with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation safekeeping of such roll

On or before the fifteenth day of [December] April the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Mallery,	Stiefel,
Barrett,	Geltz,	Meade,	Tarr,
Berger,	Haluska,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Chapman,	Kephart,	Peelor,	Wagner,
Crowe,	Lane,	Robinson,	Walker,
Dent,	Leader,	Rosenfeld,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Wood, L. H.,
Doehla,	Lord,	Scarlett,	Wood, T. N.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,			

NAYS—9

Diehm,	McPherson, Jr.,	Tallman,	Watkins,
Hare,	Snowden,	Wade,	Watson,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideratiog of Senate Bill No. 671, as follows:

An Act to amend section one hundred two clause (a) of section three hundred six clauses (b) and (d) of section three hundred seven clauses (a) and (b) of section three hundred eight clause (a) of section three hundred fourteen clause (a) of section five hundred one and sections six hundred one seven hundred one and seven hundred three of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by authorizing counties to elect to become subject to said act providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims changing dates for the return of property on which taxes are delinquent for making up claims for notice to delinquent taxpayers for the period of redemption and for tax sales providing when interest shall begin to run on returned taxes and providing for the stay of taxes by the court of common pleas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two clause (a) of section three hundred six clauses (b) and (d) of section three hundred seven clauses (a) and (b) of section three hundred eight clause (a) of section three hundred fourteen clause (a) of section five hundred one and sections six hundred one seven hundred one and seven hundred three of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property in-

cluding seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" are hereby amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

"Bureau" the Tax Claim Bureau created by this act in the several counties

"Claim" a claim entered in a claim docket by the bureau to recover the taxes returned by the various taxing districts against a certain property

"Director" the director of the Tax Claim Bureau of the several counties

"Owner" the person in whose name the property is last registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the neighborhood of such property

"Property" real property subject to a tax lien or against which a claim is being or has been filed as a lien "Property" includes both seated and unseated lands

"Taxes" any county except of the first class city except of the first or second class or second class A borough incorporated town township school district except of the first class or school district within a city of the second class A or institution district taxes and interest and penalties due thereon except where interest and penalties have been abated by provisions of law if the owner pays his delinquent taxes on the installment plan in which case interest and penalties shall be included as may be provided by the act abating the penalties and interest if there has been a default by the owner in the payment of any instalment of taxes

"Taxing District" any county except a county of the first class city except a city of the first or second class or second class A borough incorporated town township school district except a school district of the first class or a school district within a city of the second class A or institution district Provided however That this act shall not be construed to require any city of the third class or any school district within a city of the third class to collect its delinquent taxes on property under and in accordance with the provisions of this act if the city or the school district shall notify the Tax Claim Bureau in writing on or before the first day of May 1948 that pursuant to a resolution of the city council the city or the board of directors of the school district has resolved that returns of property will not be made under the provisions of this act but that its delinquent taxes will be collected by the filing of liens in the office of the prothonotary or by sale of such property at a city treasurer's sale under existing laws Any such city and any such school district may in any year after 1948 notify the Tax Claim Bureau on or before the first day of May of the year that pursuant to a resolution of the city council or of the board of directors the city or school district as the case may be has resolved to collect its delinquent taxes on property under and in accordance with the provisions of this act and thereafter the city's or school district's delinquent taxes shall be collected only under and in accordance with the provisions of this act Provided further That this act shall not apply in any county the county commissioners of which shall during the month of January one thousand nine hundred forty-eight adopt a resolution electing not to accept the provisions of this act but to continue to collect its delinquent taxes sell real estate and hold tax sales under and in accordance with existing laws but any such county may in any year after 1948 by resolution adopted by the county commissioners during the Month of January elect to collect its delinquent taxes on property and those of other taxing districts using the return system under and in accordance with the provisions of this act

Section 306 Return of Property and Delinquent Taxes Interest Settlements by Tax Collectors

(a) It shall be the duty of (1) the county commissioners of each county of the third fourth fifth sixth seventh and eighth classes as to county and institution district taxes and of the corporate authorities of each taxing district within any such county as to its taxes and of the county treasurer as to any unseated land taxes in his hands for collection (2) the county treasurer of each county of the second class as to county and county institution district taxes and of the corporate authorities of each taxing district within any such county as to its taxes to return to the county bureau on or before the first [Monday of May] day of June of each year a list of all properties against which taxes were levied the whole or any part of which were due and payable in the calendar year immediately preceding which remain unpaid giving the description of each such property as it appears in the tax duplicate together with the amount of such unpaid taxes penalties and interest due to but not including the first [Monday of May] day of June of the year of return Interest shall be charged on taxes so returned from and after the first [Monday of May] day of June of the year of return at the rate of six per centum (6%) per annum

Section 307 Filing Claims Testing Validity of Old Claims Joinder of Claims of Taxing Districts

* * * * *

(b) Claims for taxes due on property [heretofore] returned to the county commissioners and certified to the county treasurer for tax sale purposes under existing law must if no sale on such claims has been held be transferred to the bureau from the office of the county treasurer on or before the first Monday of May one thousand nine hundred forty-eight And where a taxing district shall hereafter become subject to the provisions of this act such transfer shall be made on or before the first day of June of the year the taxing district becomes so subject In cases where an owner is paying taxes under the provisions of any act of Assembly abating penalties interest and costs or either the claims must likewise be transferred as herein provided but no costs involved in such transfer shall be chargeable to the owner so long as he is not in default in his payments Such costs shall be payable by the county except where there is a default

* * * * *

(d) Not later than the [thirtieth day of June] thirty-first day of July each year the bureau shall make up from the tax returns received from the taxing districts as aforesaid a claim for each property returned which shall contain the unpaid taxes against such property which are due all taxing districts as found in the various returns Such claims shall be entered by the bureau in a suitable claim docket and may be in the form of written or typewritten lists A claim shall cover the unpaid taxes due all taxing districts but the amount due each taxing district shall nevertheless be shown separately A number of years' taxes of different kinds may be included in one claim Any claim shall be amendable by leave of the bureau upon notice to the defendant as the bureau may require

Section 308 Notice of Filing of Returns and Entry of Claim

(a) Not later than the [thirtieth day of June] thirty-first day of July of each year the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address If no

post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected each mailed and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the county treasurer on or before the thirty-first day of December next following or no exceptions thereto filed the said claim shall become absolute (3) state that on [July] August first of the year in which such notice is given the one (1) year period of redemption shall commence to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

(b) In the case of claims for taxes [heretofore] filed in the office of the prothonotary which have not been heretofore reduced to judgment where the lien of such claim has not been lost the respective taxing districts shall return to the bureau on or before the first Monday of May one thousand nine hundred forty-eight or on or before the first Monday of June of any year in which any city of the third class or any county shall elect to collect its delinquent taxes in accordance with this act a complete list of such claims and the properties against which the same are filed and the bureau shall give such owners the same notice as above provided

Section 314 Proceeding to Attack Validity of Claim

(a) Any claim for taxes may prior to the time it becomes absolute be set aside or reduced in amount by the bureau in which it is filed if the claim is found invalid in whole or in part by reason of the fact that the taxes for which the claim was entered were paid in whole or in part to a proper officer or agent of the taxing district or is found invalid in whole or in part for any other reason not involving a question which could have been raised by an appeal provided for by law

Section 501 Redemption of Property From Effects of Tax Claims

(a) Any owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representative or other person interested may within one (1) year after the first day of [July] August of the year in which the claim was filed and notice given redeem such property for the benefit of the owner by payment to the bureau of the amount of the aforesaid claim and interest thereon the amount of any other tax claim or tax judgment due on such property and interest thereon and the amount of all accrued taxes which remain unpaid the record costs including pro rata costs of the notice or notices given in connection with the returns or claims

The bureau shall receive and receipt for said payments and shall make distribution thereof through the county treasurer to the taxing districts entitled thereto The bureau shall forthwith acknowledge the receipt of the redemption moneys by entering satisfaction on the record of the claim in the office of the bureau which shall be signed by the director

Section 601 Date of Sale (a) Commencing on [the second Monday of July] August fifteenth of each year or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax judgment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale

(b) No property shall be exposed to sale where the delinquent taxes involved in a claim are being paid by the owner under any law abating penalties interests and costs or either unless there has been a default by the owner in payment in which case the sale of the property shall be proceeded with as herein provided at the time fixed for the next scheduled sale occurring at least ninety (90) days after such default

(c) The taxing authorities of the county and of any political subdivision in the county may jointly petition the court of common pleas of the county to stay the sale of property in any political subdivision held under the provisions of this section The petition shall set forth the reasons for such stay If in the opinion of the court after hearing there are sufficient reasons for such stay the court shall have jurisdiction and power to enter an order staying such sale for any period not exceeding one year from the time fixed for such sale under subsection (a) of this section In case of any such stay of sale the properties in such political subdivision shall be sold in accordance with the provisions of this section on the date of the next annual sale

Section 701 Property Heretofore Purchased by Taxing Districts to be Turned Over to Bureau Where the county commissioners any taxing district or trustee for any taxing districts have prior to the effective date of this act or prior to the time when this act became effective in any taxing district acquired any property at a tax sale or a sale on a judgment for a tax claim unless such property or interest shall have been resold or used for a public purpose for which the property might otherwise have been acquired such commissioners taxing district or trustees shall prior to the first day of January one thousand nine hundred forty-nine or within one year after this act becomes effective as to a taxing district or in cases where the redemption period has not expired at such time immediately on the expiration thereof delivered possession of such property to the bureau together with all the pertinent information as to when and how it was acquired the taxes for which it was offered for sale at the time the party which purchased it the mortgages liens or estates if any not discharged by such sale known to the taxing district to be a charge on the property and the taxes which would have been levied against such property had it not been purchased by the taxing district if known to the taxing district Thereafter all rights and title to the property held by such taxing district or trustee shall vest in the county as trustee for all taxing districts having the power to levy taxes against such property if it were privately owned and the bureau shall become the agent of all taxing districts having an interest in the management and control of such property with the following powers and duties with respect thereto

Section 703 Such Properties to be Sold Under Provisions of Article VI All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one or at a public sale held not later than two years after this act becomes effective as to such taxing district Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be

subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court [not later than the first day of June one thousand nine hundred fifty-one] as herein provided freed and discharged from all liens and encumbrances as provided under Article VI

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Mallery,	Stiefel,
Barrett,	Geltz,	Meade,	Tarr,
Berger,	Haluska,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Chapman,	Kephart,	Peelor,	Wagner,
Crowe,	Lane,	Robinson,	Walker,
Dent,	Leader,	Rosenfeld,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Wood, L. H.,
Doehla,	Lord,	Scarlett,	Wood, T. N.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,			

NAYS—9

Diehm,	McPherson, Jr.,	Tallman,	Watkins,
Hare,	Snowden,	Wade,	Watson,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672, as follows:

An Act to amend section six and section ten clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing for notices to taxables for discounts and penalties for collection of taxes by suit and for the settlement of tax duplicates abolishing payment of taxes in installments and regulating the collection discounts penalties the settlement of duplicates and return and liening of unpaid taxes on real property for the temporary fiscal period from the first Monday of January one thousand nine hundred fifty and ending June thirtieth one thousand nine hundred fifty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved by twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 305) is hereby further amended to read as follows

Section 6 Notices of Taxes When any duplicate of taxes assessed is issued and delivered by any taxing district to the tax collector he shall [within thirty days after receiving the tax duplicate] on or before the first day of July the commencement of the fiscal year for which such taxes were levied notify every taxable whose name appears on such duplicate Such notice shall contain (1) the date of the tax notice (2) the rate or rates of taxation (3) the valuation and identification of the real property of such taxpayer (4) the occupation valuation of such taxpayer if any (5) the several amounts of real and personal property and personal taxes for which said taxpayer is liable for the current year (6) the total amount of said taxes (7) a statement that such taxes are due and payable and (8) a request for payment thereof A separate notice shall be issued for each parcel of real property of a taxable Personal property and personal taxes may be included on any one of such tax notices Such notice shall further designate a place and time where the taxes shall be paid and state the time during which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed or delivered to the last known post office address of each of said taxables Any such notice [may] shall include information as to taxes levied by [two or more] all taxing districts for which he is tax collector

The Department of Internal Affairs shall prepare a uniform form of tax notice and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

Section 2 Section ten clause (a) of section twenty-one and section twenty-six of said act are hereby amended to read as follows

Section 10 Discounts Penalties All taxpayers subject to the payment of taxes assessed by any taxing district shall be entitled to a discount of two per centum from the amount of such tax upon making payment of the whole amount thereof [within two months after the date of the tax notice] during the months of July August and September of the fiscal year for which such taxes are levied All taxpayers who shall fail to make payment of any such taxes charged against them [for four months after the date of the tax notice] before the first day of December of the fiscal year for which such taxes are levied shall be charged a penalty of five per centum which penalty shall be added to the taxes by the tax collector and be collected by him

Section 21 Collection of Taxes by Suit (a) A tax collector may institute a suit in assumpsit against a delinquent taxable for the collection of any real property taxes due and unpaid after the [fifteenth day of May] first day of June of the year following the commencement of the fiscal year for which the taxes were levied and assessed if (1) the property against which such taxes were levied has not been returned to the county commissioners and (2) such taxes have not been certified for entry of liens and (3) such taxes are not held in the custody of a court as herein provided Execution may be had upon any such judgment recovered without any stay or benefit of any exemption law

Section 26 Settlement of Duplicates Audit The tax collector shall make a complete settlement of all taxes for each fiscal year with the proper authority of the taxing district to be designated by the taxing district at such time as the said taxing district may fix but not later than the first day of [July of the year succeeding the one] the last month of the fiscal year for which the taxes were levied unless such time shall be extended by resolution of the taxing district In the settlement of such taxes the tax collector shall be allowed a credit for all taxes collected and paid over for all unpaid taxes upon real property which real property shall have been returned to the county commissioners as provided by law or shall have been certified to the taxing district or its

solicitor for the entry of liens in the office of the prothonotary and in the case of occupation poll and per capita taxes for taxes accounted for by exonerations which shall be granted by the taxing district upon oath or affirmation that he has complied with section twenty of this act

Upon final settlement of a tax duplicate a tax collector shall take an oath or affirmation in writing and subscribed by the tax collector that he has made a true and just return of all taxes collected by him Such oath or affirmation shall be administered by the office of the taxing district empowered to make settlement who shall have power to administer the same and shall be filed with such officer

The final accounts and the monthly or other periodic returns and payments of a tax collector shall be audited by the controller or auditors of the taxing district

Section 3 Section eleven of said act be and the same is hereby repealed

Section 4 For the temporary fiscal period commencing on the first Monday of January one thousand nine hundred fifty and ending on the thirtieth day of June one thousand nine hundred fifty the tax collector shall notify each taxable whose name appears on the tax duplicates issued to him as provided in the Local Tax Collection Law on or before the fifteenth day of February one thousand nine hundred fifty Any taxpayer who shall make payment of the whole amount of taxes assessed by any taxing district on or before April fifteenth one thousand nine hundred fifty shall be entitled to a discount of two per centum from the amount of such tax All taxpayers who shall fail to make payment of any such taxes charged against them on or before the fifteenth day of June one thousand nine hundred fifty shall be charged a penalty of five per centum which penalty shall be added to the taxes by the tax collector and be collected by him Duplicates of taxes for such temporary fiscal period shall be settled and return of unpaid taxes on real property made under existing law at such time as the taxing district levying the tax shall fix liens for such unpaid taxes may be filed in the office of the prothonotary of the county by any taxing district not employing the return system in the manner and within the time provided for by existing law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Mallery,	Stiefel,
Barrett,	Geltz,	Meade,	Tarr,
Berger,	Haluska,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Chapman,	Kephart,	Peelor,	Wagner,
Crowe,	Lane,	Robinson,	Walker,
Dent,	Leader,	Rosenfeld,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Wood, L. H.,
Doehla,	Lord,	Scarlett,	Wood, T. N.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,			

NAYS—9

Diehm,	McPherson, Jr.,	Tallman,	Watkins,
Hare,	Snowden,	Wade,	Watson,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 673, as follows:

An Act to further amend section one and clause (a) of section eight of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by changing the times for the return of delinquent taxes on real estate for tax sales and when interest shall begin to run

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one and clause (a) of section eight of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpaymet thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) are hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act it shall be the duty of each receiver or collector of any county city borough town township school district poor district or institution district taxes to make a return to the county commissioners of such taxes which are assessed and levied on seated lands and which are unpaid and for which no liens have been filed not later than the first [Monday of May] day of June in the year succeeding the year in which the respective taxes were assessed and levied filing therewith a description of said real estate by adjoiners or otherwise sufficient to identify said land with name of the owner or reputed owner against whom such taxes were assessed and levied and the amounts of taxes unpaid and the year during which the said taxes were assessed or levied In addition to penalties under existing laws interest at the rate of six per centum per annum shall be added beginning on the first day of [May] June of the year following the levy and assessment of such tax until such taxes are paid or the seated lands responsible therefor are sold as hereinafter provided

Where the receiver or collector of any such taxes shall have failed to make the return thereof as provided by this section and the time fixed for making such returns has expired such receiver or collector of said taxes or any delinquent tax collector or taxing authority in whose hands such taxes now repose for collection is hereby authorized to make return of any of said taxes which are unpaid and for which no lien has been filed within six months from the effective date of this act and the liens of any taxes so returned shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at the time when a county treasurer's sale is held under the provisions of this act in the same manner as if such returns had been made at the time heretofore required by this section. Provided however That the return of any tax under this amendment shall not establish revive or reestablish any tax lien against real estate which was transferred to any bona fide purchaser during the time before such return was made or when any such lien was lost

Section 8 (a) No such sale shall be made before the [first Monday] fifteenth day of August in the second year

succeeding the year in which the respective taxes are assessed and levied but in every case except as herein otherwise provided sale shall be made within a period of five years from the date such taxes have heretofore been entered on the tax return docket or from the date the lien thereof has last been extended or continued by filing the same in the office of the prothonotary or from the date such taxes shall hereafter be entered on said docket except in cases where such sale has been or shall hereafter be adjourned or readjourned beyond such period of time or prohibited during such period of time under the authority of this or any other act of Assembly In all cases of adjournment or readjournment of any such sale and in all cases where the lien of any tax would under the provisions of this act expire or be lost prior to the sale of such property under the provisions of this act such liens are hereby revived preserved and extended and shall remain in full force and effect until the property against which such taxes are a lien is sold under the provisions of this act or the lien otherwise discharged

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Mallery,	Stiefel,
Barrett,	Geltz,	Meade,	Tarr,
Berger,	Haluska,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Chapman,	Kephart,	Peelor,	Wagner,
Crowe,	Lane,	Robinson,	Walker,
Dent,	Leader,	Rosenfeld,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Wood, L. H.,
Doehla,	Lord,	Scarlett,	Wood, T. N.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,			

NAYS—9

Diehm,	McPherson, Jr.,	Tallman,	Watkins,
Hare,	Snowden,	Wade,	Watson,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 674, as follows:

An Act to amend section four hundred one four hundred forty-one five hundred seven five hundred fifteen and five hundred sixteen of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by changing dates for the issuing of precepts to assessors for returns by assessors where optional assessments are made for the completion of transcripts of assessments and for the furnishing of duplicates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred one four hundred forty-one five hundred seven five hundred fifteen and five hundred sixteen of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" are hereby amended to read as follows

Section 401 Issuing of Precepts and Return of Assessments in Triennial Years (a) In counties of the first class the precepts to make annual assessments shall be issued to the appointed assessors by the board of revision of taxes and return thereof made as provided by existing law relating to the board of revision of taxes in said counties

(b) In counties of the second class the precepts to make triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes at such time as the board may prescribe and return thereof be made on or before the first [Monday of November] day of December as provided by existing law relating to the board for the assessment and revision of taxes in said counties

(c) In counties of the third class the precepts to make triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes and return thereof made at such times as the board shall determine in accordance with existing law relating to the board for the assessment and revision of taxes in said counties

[(d) In counties of the fourth class the county commissioners shall issue the precepts to make triennial assessments to the elected assessor of their respective townships towns boroughs and wards on or before the first day of June and the assessors are hereby required to complete the said assessment and make their return not later than the first day of September one thousand nine hundred and thirty-three and triennially thereafter

(e) In counties of the fifth sixth seventh and eighth classes the county commissioners shall issue the precepts to make triennial assessments to the assessor of the repective townships of the second class towns boroughs and wards on or before the second Monday of September and to assessors in townships of the first class on or before the first day of July and the assessors are hereby required to complete the said assessment and make their return not later than the thirty-first day of December one thousand nine hundred and thirty-three and triennially thereafter Provided That the county commissioners of said counties may at the time of issuing their precepts direct the return thereof to be made at any time before the thirty-first day of December Provided further That where assessors in townships of the first class shall have been continuously engaged in the actual performance of their duties after the delivery of the precepts to them except where prevented by sickness or stress of weather and are not able to complete the triennial assessment and make return thereof on or before the thirty-first day of December it shall be lawful for the said assessors to continue the performance of their duties and to make return of their assessment to the county commissioners after said date but in no case shall any such return be made later than the fifteenth day of February of the year following the delivery of the precepts to the assessors]

Section 441 The county commissioners or the board for the assessment and revision of taxes as the case may be may in their discretion issue their precepts to the elected or appointed assessors of the respective wards districts boroughs towns and townships on or before the first day in March of each year for the assessment of such persons as may remove into the respective township ward

borough town or district since the last assessment and for the reassessment of such property as may have been transferred since the last assessment and for the assessment of those who may have been omitted from the last assessment And it shall be the duty of such assessors to make such assessment and return the same before the [twenty-fifth of May] fifteenth day of April For such service the said assessors shall receive out of the county funds such compensation as may be fixed by the county commissioners not however exceeding the per diem compensation fixed by this act

Section 507 Transcript of Assessments Statement of Rate and Day for Appeal Sent to Assessors When the revisions of the triennial assessments have been completed the commissioners acting as a board of revision or the board for the assessment and revision of taxes as the case may be of the respective counties shall cause accurate transcripts of the assessments to be made out by their clerk and shall transmit the same to the respective elected or appointed assessors on or before the [second Monday] fifteenth day of April following together with a statement of the rate per cent of the tax and the day of appeal fixed by them

Section 515 Duplicates to Be Furnished School Districts of the Third and Fourth Classes In order to enable the board of school directors in each district of the third class other than school districts of that class which are located wholly within the boundary lines of cities of the third class and where such third-class school districts comprise the same territory as such city of the third class in which the same is so located as aforesaid and in each district of the fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year the county commissioners or board for the assessment and revision of taxes in each county shall on or before the [first day of April] seventh day of May in each year at the expense of the county furnish to each school district of the third class other than school districts of that class which are located wholly within the boundary lines of cities of the third class and where such third-class school districts comprise the same territory as such city of the third class in which the same is so located as aforesaid and to each district of the fourth class therein for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and residents or inhabitants made taxable for county purposes in such school districts stating the name of each taxable and the valuation description and kind of property and a list of the residents or inhabitants assessed all of which real estate personal property and residents or inhabitants are hereby made taxable for school purposes in each school district of the third and fourth class

Section 516 Duplicates to Be Furnished Townships of the First Class The county commissioners or the board for the assessment and revision of taxes of the several counties shall on or before the [first day of April] seventh day of May of each year at the expense of the county furnish to the township commissioners of each township of the first class for its use a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable for county purposes in such township of the first class Such duplicate shall state the name of each taxable with the valuation description and kind of property and occupation of such taxable

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mahany,	Stevenson,
Barrett,	Frazier,	Mallery,	Stiefel,
Berger,	Geltz,	Meade,	Tarr,
Blass,	Haluska,	Neff,	Taylor,
Chapman,	Holland,	Pechan,	Toole,
Crowe,	Kephart,	Peelor,	Wagner,
Dent,	Lane,	Robinson,	Walker,
DiSilvestro,	Leader,	Rosenfeld,	Wolfe,
Doehla,	Letzler,	Ruth,	Wood, L. H.,
Donlan,	Lord,	Scarlett,	Wood, T. N.,

NAYS—10

Diehm,	McPherson, Jr.,	Wade,	Watson,
Hare,	Snowden,	Watkins,	Yosko,
Homsher,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act to amend sections 1704 1705 1801 sections 1809 and 1811 as amended 2511 2515 2520 sections 2551 and 2557 as amended and 2576 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the fiscal year of cities of the third class providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1704 1705 and 1801 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended as follows

Section 1704 Examination and Audit of Accounts The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor and shall also examine and audit the account of all bureaus officers and departments which collect receive and disburse public moneys or who are charged with the management control or custody thereof and in case he discovers any default irregularity delinquency or mismanagement he shall make report to the council He shall likewise audit and report upon the accounts of any such officer upon the death resignation removal or expiration of the term of the said officer

(a) He shall likewise audit or cause to be made by a certified public accountant an annual audit of all the accounts of any municipal officer in any department of the city government who may be charged with the duty or who may perform the services of receiving and disbursing the funds of any association society or organization of municipal employes or persons directly or indirectly connected with the municipal government for the benefit relief or pensioning of firemen policemen or other municipal employes Such audits [always] shall be made in the months of January and February [following each calendar year] of the year one thousand nine hundred fifty and during the months of July and August of the year one thousand nine hundred fifty and each year thereafter and be annually reported to council [before the first day of March] as other reports of the controller are made

(b) Brief abstracts or summaries of the reports of such accounts and financial statements shall be published at least once a week for two weeks in one newspaper in

accord with the provisions of section one hundred and nine of this act The expense and cost of such publication shall be paid out of the funds of the various associations organizations or societies as their other expenses are paid

Section 1705 Annual Report to Council The city controller shall make report to council [on the first Monday of March in] for each fiscal year or fiscal period and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge custody control and disbursements of public moneys showing the balance in their hands respectively Such report shall be made on or before the first Monday of March one thousand nine hundred fifty for the fiscal year ending the day preceding the first Monday of January one thousand nine hundred fifty Thereafter such report shall be made on or before the first day of September of each year for the last preceding fiscal year or fiscal period The city controller shall immediately prepare an intelligent summary of said reports showing the fiscal condition of the affairs of the city and publish the same at least one time in at least two newspapers of general circulation as required by section one hundred and nine of this act and post at least one copy of said summary as published in a conspicuous public place in each ward of the city and the city or town hall

Section 1801 Fiscal Year The current fiscal year of each city shall end with the day preceding the first Monday of January one thousand nine hundred fifty There shall be a temporary fiscal period in each city commencing with the first Monday of January one thousand nine hundred fifty and ending with the thirtieth day of June one thousand nine hundred fifty Thereafter the fiscal year of each city shall begin on the first [Monday] day of [January] July in each and every calendar year and end with the thirtieth day of June of the next succeeding calendar year

Section 2 Sections 1809 and 1811 of said act as last amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1180) are hereby further amended to read as follows

Section 1809 Annual Budget The director of accounts finance shall [at the first stated meeting in December in each year or] at least thirty days prior to the adoption of the annual or special period budget present to council a proposed budget showing the estimated receipts expenditures and liabilities of every kind for the next ensuing fiscal year or fiscal period with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate [for the next fiscal year] Such budget shall be prepared on forms furnished as provided in section [one thousand eight hundred and twelve] 1812 of this act Such budget shall be prepared during the month of December one thousand nine hundred forty-nine or previous thereto for the temporary fiscal period from the first Monday of January one thousand nine hundred fifty and ending June thirtieth one thousand nine hundred fifty and on or before the first day of April of the year one thousand nine hundred fifty and each year thereafter

The several departments of the city government shall before the budget is presented as above provided furnish to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing fiscal year as a basis for making the annual appropriations thereto

Final action shall not be taken on the proposed budget until after at least ten days public notice The budget when submitted by the director of accounts and finance to the council shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The council shall after making such changes and modifications therein as appear proper adopt the budget and any necessary appropriation measures required to put it into effect

The budget shall be adopted on or before the first day of January 1950 for the temporary fiscal period beginning the first Monday of January 1950 and on or before the seventh day of May 1950 and each year thereafter for the next ensuing fiscal year

Within fifteen days after the adoption of the budget the director of accounts and finance shall file a copy of the same in the office of the Deparment of Internal Affairs

Section 1811 Annual Reports Publication Filing Report with Department of Internal Affairs Penalty The directors of accounts and finance shall make a report verified by oath or affirmation [at the stated meeting in March] in each year of the public accounts of the city and of the trusts in its care for the preceding fiscal year or fiscal period exhibiting all of the expenditures thereof respectively and the sources from which the revenues and funds are derived and in what measures the same have been disbursed Each account shall be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debt or credit of such appropriation at the close of the fiscal year or fiscal period For the fiscal year ending the day preceding the first Monday of January 1950 such report shall be made on or before the first day of March Thereafter such reports shall be made on or before the first day of September in each year for the fiscal period or fiscal year ending with June 30th preceding

Such report accompanied by a statement of the present funded and floating indebtedness of the city and the date and maturity of the funded debt a schedule of its assets and the character and value thereof and the amount of taxable property therein shall be published once in not more than two newspapers printed and circulated in such city as required by section [one hundred and nine] 109 of this act Provided Council may cause such statement to be printed in pamphlet form in addition to the publications made as aforesaid

The director of accounts and finance shall also [annually] make report of the financial condition of the city to the Department of Internal Affairs [within sixty days after the close of the fiscal year] signed and duly verified by the oath of the director Such report shall be made on or before March 1st 1950 for the fiscal year ending on the first Monday of January 1950 and on or before the first day of September for any fiscal year or fiscal period thereafter Any director of accounts and finance refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each days' delay beyond [said sixty days] the date herein before fixed and costs All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented in the form as provided in section [one thousand eight hundred and twelve] 1812 of this act

Section 3 Sections 2511 2515 and 2520 of said act are hereby amended to read as follows

Section 2511 Time of Completion of Assessments The assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of [September] December in each year [or as soon thereafter as practicable] He may with the approval of the board of revision and appeals add to the duplicates in the hands of the city treasurer any subject of taxation omitted therefrom and rectify any and all errors and mistakes therein

Section 2515 New Assessments The council in any years other than a triennial year if it shall deem a new assessment necessary may [on or before the first day of May] issue its precept to the city assessor and by ordinance or resolution require him to make out and return a full just and equal assessment of property within the city or such parts thereof as may be deemed advisable

Section 2520 Custody of Assessment Books Completion of Work of Board The board of revision of taxes and appeals shall procure and have the custody and control of all books relating to assessment of city taxes and keep

them arranged according to wards and dates and shall furnish the city assessor the necessary books for making the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeals The board shall complete its labors and the hearing and determination of all appeals on or before the [first day of December] fifteenth day of March of each year [or as soon thereafter as practicable] after which the assessment shall be copied by wards into a tax duplicate or duplicates for the use of the city The assessment so corrected and copies shall be and remain a lawful assessment for the purpose of city taxation until altered as provided in this article

Section 4 Section 2551 of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1233) is hereby further amended to read as follows

Section 2551 Tax Levies The council of each city may by ordinance levy and provide for the collection of the following taxes

1 A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2 A tax in addition to the above on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements for the payment of loans

3 A poll-tax for general revenue purposes not exceeding five dollars annually on all inhabitants above the age of twenty-one years

Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

The council shall make its tax levy on or before the seventh day of May of each year commencing with the year 1950 For the temporary fiscal period from the first Monday of January 1950 and ending with the thirtieth day of June 1950 council may but need not make a tax levy but if made it shall be made on or before the thirty-first day of December 1949 and the rate of the tax shall not exceed one-half of the maximum rate specifed in this section

Section 5 Section 2557 of said act as amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-five (P. L. 363) is hereby further amended to read as follows

Section 2557 Date of Delivery of Duplicate Collection The council of each city [and the poor authorities now empowered or which may be hereafter empowered to levy taxes upon property and persons within the city] shall [on or before the first day of March in] for each fiscal year or fiscal period make out and deliver their [respective duplicates] duplicate of taxes assessed to the city treasurer as the collector of said taxes which shall be collected by the city treasurer by virtue of his office as aforesaid Such duplicates shall be delivered on or before January 25th 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending with June 30th 1950 and on or before June 15th 1950 and each year thereafter for each fiscal year The proper county and school authorities shall make out and deliver the county and school duplicates of their respective taxes in such city at the time and in the manner provided by the county and school laws of the Commonwealth All duplicates of taxes placed in the hands of said treasurer shall at all times be open to proper inspection of the taxpayers and of the proper auditing and examining officers of said city county or school district as the case may be and shall be delivered by said treasurer at the expiration of his term to his successor in office

Section 6 Section 2576 of said act is hereby amended to read as follows

Seciton 2576 Time of Holding Sales Such sales shall be made on the [first Monday of June in the year succeeding the year in which the respective taxes are assessed and levied] on the dates hereinafter specified or on any day to which such sale may be adjourned or on [any first Monday of June] the day fixed for such a sale succeeding year

In the year 1950 the date for such sale for delinquent taxes for the year 1949 and previous years shall be the first Monday of June The sale for delinquent taxes for the temporary fiscal period commencing on the first Monday of January 1950 and ending with June 30th 1950 shall be held on August 15th 1951 Thereafter sales shall be held on the 15th day of August of the year succeeding the end of each fiscal year for which the taxes are delinquent

And said bill having been read at length the third time, and agreed to,

An the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mahahy,	Stevenson,
Barrett,	Frazier,	Mallery,	Stiefel,
Berger,	Geltz,	Meade,	Tarr,
Blass,	Haluska,	Neff,	Taylor,
Chapman,	Holland,	Pechan,	Toole,
Crowe,	Kephart,	Peelor,	Wagner,
Dent,	Lane,	Robinson,	Walker,
DiSilvestro,	Leader,	Rosenfeld,	Wolfe,
Doehla,	Letzler,	Ruth,	Wood, L. H.,
Donlan,	Lord,	Scarlett,	Wood, T. N.,

NAYS—10

Diehm,	McPherson, Jr.,	Wade,	Watson,
Hare,	Snowden,	Watkins,	Yosko,
Homsher,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676, as follows:

An Act to amend sections three hundred forty-five three hundred forty-six three hundred sixty-three three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing fiscal years of counties providing for a temporary fiscal period to effectuate such change and regulating budgets audits and financial reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three hundred forty-five and three hundred forty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1184) are hereby further amended to read as follows

Section 345 Report to Common Pleas Publication Financial Report to Department of Internal Affairs He shall in the month of January in [every] the year 1950 and on or before the first day of September of the year 1950 and of each year thereafter for the last preceding fiscal

period or fiscal year complete his audit and make a report thereof verified by oath or affirmation to the court of common pleas of said county [of] showing all receipts and expenditures of the county for the preceding fiscal year or fiscal period in detail and classified as required in the preceding section of this act together with a full statement of the financial conditions of the county Such report shall thereupon be published one time in such newspapers published in said county as the controller may direct the aggregate cost of which shall not exceed one thousand five hundred dollars in any one year to be paid for out of the county treasury Such report may also be published in printed pamphlets at the cost of the county The number and cost of such pamphlets to be determined by the controller and the county commissioners

The controller shall also annually within sixty days after the close of the fiscal year make a report to the Department of Internal Affairs of the financial condition of the county in manner and form required to be made by the auditors of the county under the provisions of section three hundred sixty-four of this act and subject to the penalties provided in said section for refusing or neglecting to make said report

Section 346 Preparation of Annual Budget [On or before the first day of February of each year and at] At least thirty days prior to the adoption of the annual or fiscal period budget the controller shall transmit to the commissioners a proposed budget giving a detailed estimate of and for the legitimate purposes of the county for the current year including interest due and to fall due on all lawful debts of the county bearing interest Such budget when finally adopted by the commissioners shall be the guide to the commissioners in fixing the tax rate Said budget shall be prepared as provided in section three hundred seventy of this act

The commissioners shall at the same time the budget is adopted fix such rate of taxation upon the valuation of the property taxable for county purposes as will raise sufficient sum to meet the said expenditures The commissioners shall not by contract or otherwise increase the expenditures of the county in any year to an amount beyond the taxes assessed as aforesaid for said year

Section 2 Section three hundred sixty-three of said act as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 541) is hereby further amended to read as follows

Section 363 Audit of Accounts The auditors shall audit settle and adjust the accounts of all county officers of the county and make report thereof [annually] to the court of common pleas of such county in detail showing distinctly and separately all receipts and expenditures of the several offices and all debts and accounts due and amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof together with a full statement of the financial conditions of the county and a statement of the balance due from or to such county officers

Such audit shall be completed on or before the first day of March 1950 for the fiscal year ending the day previous to the first Monday of January 1950 and on or before the first day of September of the year 1950 for the temporary fiscal period ending June thirtieth 1950 and on or before the first day of September each year thereafter for the previous fiscal year

Section 3 Article three subdivision (c) of said act is hereby amended by adding thereto a new section three hundred sixty-nine to read as follows

(c) Provisions Relating to All Counties

Section 369 Fiscal Year The current fiscal year of each county shall end with the day preceding the first Monday of January 1950 There shall be a temporary fiscal period in each county commencing with the first Monday of January 1950 and ending with the thirtieth day of June 1950 Thereafter the fiscal year of each county shall begin on the first day of July in each and every calendar year and end with the thirtieth day of June of the next succeeding calendar year

Section 4 Section three hundred seventy of said act as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 236) is hereby further amended to read as follows

Section 370 Annual Budget Control of Expenditures The controller or the county commissioners where there is no controller shall [annually] prepare a proposed budget for the next fiscal year or fiscal period at least thirty days prior to the adoption of the budget The budget shall be prepared during the month of December 1949 or previous thereto for the temporary fiscal period from the first Monday of January 1950 and ending June thirtieth 1950 and on or before the first day of April of the year 1950 and each year thereafter The budget shall be adopted on or before the first day of January 1950 for the temporary fiscal period beginning on the first Monday of January 1950 and on or before the seventh day of May 1950 and each year thereafter Said budget shall be prepared on forms furnished as provided in section three hundred seventy point one of this act Final action shall not be taken on the proposed budget by the county commissioners until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection by all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The county commissioners shall after making such revisions and changes therein as appear advisable adopt the budget and necessary appropriation measures required to put it into effect [Within fifteen days after] After the adoption of the budget and not later than the first day of September the county commissioners shall file a copy of the [same] budget in the office of the Department of Internal Affairs

The county commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

The county commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners which will cause the sums appropriated to be exceeded

Section 5 Section three hundred seventy-one of said act as amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L.)42) is hereby amended to read as follows

Section 371 Tax Levies No tax shall be levied on personal property taxable for county purposes where the rate of taxation thereon is fixed by law other than at the rate so fixed The county commissioners shall fix by resolution the rate of taxation for each year No tax for general county purposes exclusive of the requirements for the payment of the interest and principal of the funded debt of any county shall in any one year exceed the rate of ten mills on every dollar of the adjusted valuation In fixing the rate of taxation the county commissioners if the rate is fixed in mills shall also include in the resolution a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

The rate for any office or post of profit profession trade or occupation or on any single freeman who follows no occupation shall be lowered in due proportion as the tax on property shall be lower than the rate herein authorized

The county commissioners shall make their tax levy on or before the fifteenth day of May of each year commencing with the year 1950 For the temporary fiscal period from the first Monday of January 1950 and ending with the thirtieth day of June 1950 the commissioners may but need not make a tax levy but if made it shall be made on or before the thirty-first day of December 1949 and the rate of the tax shall not exceed one-half of the maximum rate specified in this section

Duplicates of county taxes shall be delivered to the tax collector on or before January twenty-fifth 1950 for the temporary fiscal period commencing on the first Monday of January 1950 and ending on the thirtieth day of June 1950 and on or before June fifteenth 1950 and each year thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mahany,	Stevenson,
Barrett,	Frazier,	Mallery,	Stiefel,
Berger,	Geltz,	Meade,	Tarr,
Blass,	Haluska,	Neff,	Taylor,
Chapman,	Holland,	Pechan,	Toole,
Crowe,	Kephart,	Peelor,	Wagner,
Dent,	Lane,	Robinson,	Walker,
DiSilvestro,	Leader,	Rosenfeld,	Wolfe,
Doehla,	Letzler,	Ruth,	Wood, L. H.,
Donlan,	Lord,	Scarlett,	Wood, T. N.,

NAYS—10

Diehm,	McPherson, Jr.,	Wade,	Watson,
Hare,	Snowden,	Watkins,	Yosko,
Homsher,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 688 as follows:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 677) is hereby further amended to read as follows

Section 210 Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in any township borough or incorporated town in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change [and] or any proposed order of vacation duly acknowledged to the Governor and the same shall be approved by him and filed as a public record in the office of the department and a copy thereof shall be recorded in the office for the recording of deeds in the proper county at the expense of the department in a plan book or books provided by the county for that purpose The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes All plans or order so approved filed and recorded shall indicate the names of the owners or reputed owners of the land affected by taking or vacation and of lands abutting the same It shall be the duty of the recorder of deeds of each county to provide a plan book or books for the recording of such plans and orders and to maintain an adequate locality index for the same

Section 2 Section five hundred eleven of said act as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 680) is hereby further amended to read as follows

Section 511 Changing etc Width Grades or Lines of Highways [Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the] The secretary with the approval of the Governor may in accordance with the provisions of section two hundred ten of this act change alter or establish the location width grades or lines of any [such] State highway or intersecting road or street in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the changes thereon and shall attach thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article III of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highway within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property

damages of the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691, as follows:

An Act to amend section seventeen point three of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" by extending the retirement privileges of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen point three of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" as added by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) is hereby amended to read as follows

Section 17.3 Admissions to Retirement System of Those Who Have Heretofore Failed to Join Any county officers [who did not become a member of the retirement system when it was first established if he then held office and has since then continuously held office or] whose term of office began after the establishment of the retirement system and who did not become a member of the retirement system when his term of office began shall be permitted to become a member of the retirement system at any time and receive a retirement allowance based upon service as a county employe rendered after such date of membership Provided however That if membership is consummated [within one year of the effective date of the amendment or] within one year from the beginning of such term of office and such sums as would have been deducted from his salary had he become a member at the time [of the establishment of the retirement system or] of the commencement of such term of office shall have been paid into the retirement system he shall thereupon become entitled to all the rights and privileges in the retirement system as would have been vested in him had he become a member and contributor at the time [the retirement system was established or] his term of office began

Any county officer who has not become a member of the retirement system but who was employed as an elected officer prior to January first of the year that the retirement system was established and who held such office at the time that the retirement system was established and has continuously held such office shall be permitted to become a member of the retirement system shall be known as an original member and shall receive full credit for each year of service rendered by him prior to January first of the year the retirement system was established and for each year of service rendered by him thereafter if such county officer shall contribute to the fund the amount which he would have contributed if he had become a member of the retirement system when it was established in which event the county shall contribute to his credit in the fund the amount it would have contributed if he had become a member of the retirement system when it was established and he shall thereupon become entitled to all the rights and privileges in the retirement system as would have vested in him had he become a member and contributor at the time the retirement system was established

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 735, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the

Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 694) are hereby further amended to read as follows

Section 7 License Hearings Appeals from the Grant or Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof in considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license The applicant may appear in person or by counsel may cross-examine the witness for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any [person] applicant aggrieved by the refusal of the board to issue renew or transfer a license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of a new license or transfer of a license may take an appeal limited to the question of such grievance to the court of quarter session or the county court of Allegheny County or the county in which the premises applied for are located within twenty days of date of refusal or grant Such appeal shall be upon petition of the [applicant] aggrieved party who shall serve a copy thereof upon the board The court shall hear the application de novo on questions of fact administrative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall either sustain [the refusal] or overrule the action of the board [or order an] and either order or deny the issuance renewal or transfer of the lincense to the applicant [There shall be no further appeal] Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

The parties to the proceeding may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 13 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises when a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses such appeal as aforesaid shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise upon such appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court The licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of an importing distributor thirty dollars ($30) and a distributor twenty dollars ($20) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars ($10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 2 Subsection (a) of section fourteen of said act as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 14 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it from one person to another or from one place to another or both within the same municipality or township as the board may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfer of licenses may be made only at times fixed by the board In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representatives or to a person designated by him From any refusal to grant a transfer or from the grant of any transfer the [person] party aggrieved shall have the right to appeal to the court of quarter sessions of the county in which the licensed premises are situated [in the same manner as herein provided for appeals from refusals to grant licenses] and therefrom to the Superior Court as provided in section seven hereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the state government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted and that the applicant is a person of good repute that the premises applied for meet all the requirements of this act and the regulations of the board and the applicant seeks a license for a hotel restaurant or club as defined in this act the board shall in the case of a hotel or restaurant grant and issue to the applicant a liquor license and in the case of a club may in its discretion issue a license. Provided however That in the case of any new license or the transfer of any license to a new location the board may in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil And provided further That the board shall not issue new licenses in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application thereof shall have been filed at least thirty days before the effective date of the license

Section 2 Section four hundred four of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 388) is hereby further amended to read as follows

Section 404 License Hearings Appeals from the Grant or Refusal of Board to Issue Renew or Transfer Licenses The Board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer

has been refused fix a time and place for hearing of such application for liquor license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof in considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrevied by the action of the board in granting the issuance of a new hotel restaurant or club liquor license or the transfer of a hotel restaurant or club liquor license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions or the county court of Allegheny County or the county in which the hotel or restaurant or club is located Such appeal shall be upon petition of the [applicant] aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The court shall hear the application de novo on questions of fact administerative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall either sustain [the refusal] or overrule the action of the board [or] and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant [There shall be no further appeal] Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The parties to the proceeding may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 3 Subsection (a) of section four hundred eight of said act as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 408 Licenses Not Assignable Transfers (a) licenses issued under this act may not be assigned The board is hereby authorized to transfer any license from one person to another or from one place to another within the same municipality or both as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Upon any refusal to grant a transfer or upon the grant of any transfer the [person] party aggrieved shall have the right to appeal to the court of quarter sessions [in the same manner as herein provided for appeals from refusals to grant licenses The action of the court of quarter sessions shall be final] and therefrom to the Superior Court in the manner provided in section four hundred four hereof

Section 4 Section four hundred ten of said act as last amended by the act approved the sixteenth day of April one thousand nine hundred forty-three (P. L. 60) and the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 688) is hereby further amended to read as follows

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the boards' order during which time the licensee may take an appeal as provided for in this act When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was saspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the coirt of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses upon appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court Such appeal as aforesaid shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The said licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensees the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases

where the suspension is for a period in excess of one hundred days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 751, as follows:

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any officer of any county of the first class or of any city of the first class shall have an accumulation of records or other papers in his office which such officer shall deem valueless he may destroy and dispose of the same provided he shall have first obtained the approval of the court of common pleas or of the orphan's court of the proper county in the case of the office of register of wills or clerk of the orphans' court and also of the Pennsylvania Historical and Museum Commission In such case the Pennsylvania Historical and Museum Commission shall grant its approval only if in its opinion such records or papers are not of permanent or historical interest and shall so certify Provided however That such officer with the approval of the Pennsylvania Historical and Museum Commission may turn over to the Pennsylvania Historical and Museum Commission for preservation for historical and archival purposes any such records or papers which the Pennsylvania Historical and Museum Commission may consider of permanent value or historical interest

Section 2 In any such case the court of common pleas or the orphans' court as the case may be may prescribe such conditions including the duty on such officer to have copied and replaced any such records or papers by such mechanical process as is authorized by law as such court shall deem advisable

Section 3 The provisions of this act shall not apply to the recorders of deeds of such counties except as to written instruments documents or papers lodged for record and recorded and which were thereupon returnable to the persons entitled thereto when such persons have failed to call for the same after a period of one year from the time they were ready for delivery and return

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file or of record and the replacement and certification of originals previously filed and of record by officers of counties of the first class and of cities of the first class by photostatic photographic microphotographic microfilm or other mechanized process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any officer of any county of the first class or of any city of the first class is required or authorized by law to record copy recopy or replace any document plat paper written instrument or book on file or of record in his office he may do so by photostatic photographic microphotographic microfilm or other mechanical process which produces a clear accurate and permanent copy or reproduction of the original document plat paper written instrument or record in accordance with standards not less than those approved for permanent records by the National Bureau of Standards

Section 2 In any case where an original plat paper written instrument record or book of record previously filed or of record in the office of such officer is whether because of the worn or injured condition thereof or for any other reason copied and replaced by such process and where such officer is required by law to certify in or on the paper or book replacing the original so copied that the replacement is a true and correct copy of the original a copy of such certification by such officer similarly made and produced and included at the end of the replacement shall be sufficient compliance with such law

Section 3 Copies records reproductions and replacements or enlarged reproductions thereof thus produced shall be considered as original copies records papers or books of record for all purposes shall have the same effect in law and equity and shall be admissible in evidence in like manner and under the same conditions as original copies records papers or books of record produced or copied in any other manner authorized by law

Section 4 Transcripts or certified copies of such copies records reproductions and replacements shall be considered as transcripts or certified copies of the originals

Section 5 In any case where any record or replacement thereof in the office of any such officer is produced by such process any correction alteration endorsement or entry required or authoried to be made of or any instrument or paper or on the record thereof may be made by filing or inserting copies or recopies produced by the same process of the pages page or part of the page so corrected altered or on which such endorsement or entry is made next to the place wherein the copy or record of such instrument or paper is contained or in such other manner as such officer shall deem advisable or practicable

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 783, on third reading, entitled:

An Act to amend clause (6) of section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 790, as follows:

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 315) is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 794, on third reading, entitled:

An Act to further amend section seven of the act approved the twenty-fourth day of July one thousand

nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation thereof" by exempting from necessity of net quantity being marked thereon packages of bakery products

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 800, as follows:

An Act to amend section four thousand four hundred six of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for appointment to fill vacancies from certified lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand four hundred six of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4406 Selection of Appointee from Certified List of Applicants Said boards shall make and keep in numerical order a list containing the names of all applicants for civil service positions in said city who may pass the required mental and physical examinations Where more than one person takes examinations for any of said positions at the same time the names of all those successfully passing such examination shall be entered upon the list of eligible names in the order of their respective percentages the highest coming first The board shall furnish to council a certified copy of all lists so prepared and kept Wherever any vacancy shall occur in any civil service position in said city the city council shall make written application to the president of the proper board who shall forthwith certify to the city council in writing the four names on the list of applicants for such position having the highest percentage where there are four or more eligible names on the list but where there is only one name or less than four eligible names on such list the board shall certify such name or names Thereupon the director of the department in which such appointment is to be made shall nominate to the city council [one of the four persons whose names are] the person or one of the persons from the list submitted to fill such positions If the city council approves such nomination the person nominated shall be appointed to fill such vacancy and shall be assigned for service in the department If the council does not approve such nomination then the director of the department in which such appointment is to be made shall submit another nomination for such position from the remaining [three] names if any and if such nomination is not approved by the council he shall submit the third name if any and if such nomination is not approved he shall submit the fourth name if any The person [of the four submitted] whose nomination by the director is approved by the city council shall be appointed to fill such position in the department or as building inspector In all cases the boards may recommend those in the employ of a department for promotion in case the person recommended is competent for the higher position The name of the person so appointed shall be immediately stricken from the list of said board and the names of the [three] rejected persons shall immediately be restored to their proper place in said list Provided however That if the name of any applicant has been submitted to the said council and been rejected three times then such name shall be stricken from the eligible list

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade.	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Rutt,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, as follows:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authoriing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Boards" by permitting earnings or other income to supplement public assistance in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May

one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

* * * * *

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent Provided That when such standards fall below the amounts necessary for the maintenance of a decent and healthful standard of living as determined by the current annual report to the Governor required by clause (g) of this section no such rule or regulation shall restrict the right of any applicant for or recipient of assistance to supplement the assistance allowance through earnings or other income up to the levels of said report before any such income may be applied to a reduction of the assistance grant

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act to further amend section one thousand two hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by clarifying provisions for payment of compensation of constables and their deputies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning eletcions including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the second day of March one thousand nine hundred forty-five (P. L. 17) is hereby further amended to read as follows

Section 1207 Peace Officers No Police Officer to Be Within One Hundred Feet of Polling Place Exceptions Presence of Soldiers Prohibited The constable of each borough township or ward or his deputy shall be present at the polling place in each election district of such borough township or ward at each primary and election during the continuance thereof and while the votes are being counted for the purpose of preserving the peace and shall serve at all elections for which services the said constable and each of such deputies performing such services shall receive not less than five ($5) dollars nor more than ten ($10) dollars [Provided however That the] the compensation to be paid in each of the counties shall be fixed by the commissioners of each county [which] and paid by the county such sum shall include pay for serving notices in writing to persons elected at such election The election officers or any three qualified electors of any election district may call upon any mayor chief burgess sheriff deputy sheriff constable deputy constable or police officer to clear an avenue to the door of any polling place which is obstructed in such a way as to prevent electors from approaching or to maintain order and quell any disturbance if such arises No police officer in commission whether in uniform or in citizen's clothes shall be within one hundred feet of a polling place during the conduct of any primary or election unless in the exercise of his privilege of voting or for the purpose of serving warrants or unless called upon to preserve the peace as provided by this act No body or troops in the Army of the United States or of this Commonwealth shall be present either armed or unarmed at any place of election within this Commonwealth during the time of any primary or election Provided however That no officer or soldier shall be prevented from exercising the right of suffrage in the election district in which he resides if otherwise qualified

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 979, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1257, on third reading, entitled:

An Act to repeal certain provisions of and to add a new article eight to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by eliminating provisions for the acquisition of privately owned toll bridges jointly with the counties and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission and authorizing and empowering the Secretary of Highways with the approval of the Governor to construct brldges and approaches thereto conenct State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1258, on third reading, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers threof, including the board of trustees of State Normal Schools, or Teacher Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," abolishing the State Bridge Commission and its functions.

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 114, on second reading, entitled:

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools emending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 135, entitled:

An Act to amend section five and to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forest and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by abolishing the Schuylkill River Desilting Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 153, entitled:

An Act to further amend section twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns benefits, and rights from taxation and judicial process; and providing penalties," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 160, on second reading, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without psychosis.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act to amend section two thousand one hundred twenty-six of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Teasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 190, on second reading, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" by making the provisions thereof mandatory under all circumstances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 228, on second reading, entitled:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 229, entitled:

An Act to amend section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools ameding revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class boroughs towns and townships to carry out certain of their governmental functions in a more efficient manner prescribing the officers and powers and duties of such districts and the duties of participating municipalities and conferring jurisdiction on courts of quarter sessions in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 287, on second reading, entitled:

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescibing minimum penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 288, on second reading, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 289, on second reading, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficent weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 291, on second reading, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 425, on second reading, entitled:

An Act to further amend sections two hundred two and two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commisions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganizing of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the apponitment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to include the Unemployment Compensation Board of Review Unemployment Compensation Referees and the Pennsylvania Labor Relations Board in the Department of Labor and Industry and to delete the Industrial Board as an Advisory Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 430, on second reading entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 483, on second reading, entitled:

An Act to further amend subsection six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings or facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion

resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof persons or corporations furnishing transportation of any injured ill or dead person

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 487, entitled:

An Act to repeal subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the special fund for game lands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 508, entitled:

An Act to amend section one thousand three hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parocial schools amended revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Section 1, page 2, line 8, by inserting brackets before and after the words "school directors".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 572, entitled:

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 609, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by re-enacting and amending subsections (e) (f) and (h) of section five hundred eight and by adding section five hundred twenty-eight to the said act authorizing administrative departments boards and commissions with the approval of the Governor to enter into contracts with State Authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 614, entitled:

An Act to further amend subsection seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by

the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to withdraw from the public school employes' retirement system in the event that such employes should become eligible for coverage and benefits under the old age and survivors' insurance provisions of the federal Social Security Act by future action of the Congress of the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 614, on second reading, entitled:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" be extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 619, on second reading, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for the violations of this act" by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 626, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making certain corrections and additions to conform to existing law and eliminating inoperative provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 672, on second reading, entitled:

An Act to further amend sections two, four, five and six of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by bringing additional types of buildings under the provisions of the act; further revising the classification of buildings covered by this act; further regulating ways of egress; providing for fire proofing or the closing of vertical openings in buildings; regulating the installation of equipment for the display or sale of merchandise; prescribing the level on which gymnasiums used for public assembly may be placed; prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 692, entitled:

An Act creating a Commission on the Birthplace of William Penn prescribing its powers and duties and making an approqriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 692, the bill just read, be recommitted to the Committee on Appropriations.

Mr HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 703, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive

judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 709, entitled:

An Act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, entitled:

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served and providing for judicial review of orders of the Commission relating to such certificates and providing penalities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 731, entitled:

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 748, entitled:

An Act to amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by extending the power and duties of the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 749, entitled:

An Act to add a new section to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" increasing retirement allowances through an additional State annuity and making such increases applicable to members heretofore retired

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill 749, the bill just read, be recommited to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded fire arms and loose ammunition

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend the Act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2063) entitled "Providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits certain debts and interest on certain debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock association companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 761, entitled:

An Act providing for payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporations companies banks trust companies insurance companies limited partnerships and partnership associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" as amended by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 764, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of election officials in counties of the first and second classes and changing the requirements for delivery of voting machine keys for the preparation of duplicate return sheets in certain cases for the payment of certain campaign expenses for the filing of expense accounts and the delivery of blanks therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 780, on second reading, entitled:

An Act to further amend the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by further defining and regulating persons engaged in the sale of cigarettes authorizing the department to pay commisions on tax stamps purchased by distributors increasing fees providing for appeals from decisions and orders of the department authorizing the issuance of permits to out of State distributors

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, entitled:

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries by regulating the take or catch thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 792, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and componds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 795, entitled

An Act authorizing the Department of Forests and Waters to acquire two tracts of land in Somerset and Bedford Counties to be used as a State Park under the jurisdiction of the Department of Forests and Waters and devoted to hunting fishing and recreational purposes and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 795, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 797, entitled:

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty- seven (P. L. 1333) entitled "An act concerning elections the nomination of candidates primary and election expenses and election contests creating and defining membership in county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 803, entitled:

An Act to further amend clauses (c) and (d) of section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by permitting the judges of the County Court of Allegheny County to hear and determine criminal issues and matters in the court of Quarter Sessions of the Peace in Allegheny County when called upon by the presiding judge of said court so to do

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operations thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellanous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of a lot of ground and Tiadaghton Elm tree in Clinton County Pennsylvania to establish the same as an historic monument

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 812, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations regulating the purchase possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies restricting the issuance of licenses to clubs not included among said units conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 814, on second reading, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, entitled

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purpose thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying the definition of State employe

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 825, entitled:

An Act to further amend subsection (d) of section four of the act approved the first day of June one thousand nine hundred thirty seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employes to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for the review of an order of the board by court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for services of papers and process of the board prescribing certain penalties" by increasing the salaries of the chairman and members of the Pennsylvania Labor Relations Board

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 827, entitled:

An Act creating a commission to make a study and investigation of the administration of public assistance providing for the membership thereof prescribing its powers and duties empowering it to subpoena witnesses and records prescribing penalties and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 827, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-one (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by changing the method of computing payments in lieu of devices at dams to enable fish to migrate and increasing the amount of maximum payments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 835, entitled:

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 841, entitled:

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by exempting certain property held in the joint names of husband and wife.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 850, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 858, entitled:

An Act to amend section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 871, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts.

go over in its order.

The PRESIDfNT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 986, on second reading, entitled:

An Act to amend sections three hundred two three hundred three three hundred eleven and one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident hunter's license establishing a nonresident trapper's license and fixing the fee for the same increasing agents' compensation and providing for the use of certain amounts from resident license fees.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 991, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1005, entitled:

An Act to amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing the boards of school directors to add names to the tax assessment lists and tax duplicates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity; providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1300, entitled:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 279, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within the bituminous regions and regulating mining and the removal of natural surface support in cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 408, entitled:

An Act to add section one thousand fifty-four point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the establishment of child behavior clinics in the offices of county superintendents and providing for the appointment of psychologists psychiatrists and psychiatric social workers for the operation of said clinics.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act to provide for the prompt, peaceful and just settlement of labor disputes between employers engaged in public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission and their employes which threaten to cause an interruption of such transportation facilities; prescribing procedure for the adjustment and settlement of such disputes by collective bargaining and the intervention of a conciliator; prohibiting for a certain period of time, but preserving the right to strike, stop work or lockout, and conferring jurisdiction upon the courts of common pleas to enforce compliance with the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 518, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and person authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 554, entitled:

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 592, entitled:

An Act authorizing the Joint State Government Commission to make a codification of the insurance laws of the Commonwealth; providing for the appointment of an insurance law codification committee; authorizing the employment of necessary assistants; prescribing the powers and duties of the committee; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and the Pennsylvania Soldiers' Orphans School to withdraw from the Retirement System and receive reimbursement for moneys paid in.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 617, entitled:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty

by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that certain employes of the Department of Public Instruction State Teachers Colleges, Thaddeus Stevens Trade School, Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School who are not members of or who may withdraw from the public school employes' retirement association may become members of the State Employes' Retirement Association and receive credit for their service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 776, entitled:

An Act to further amend sections four and fourteen of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen and which permitted examinations of physical fitness to be made by any licensed physician

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for the voluntary liquidation and dissolution of banks bank and trust companies and trust companies and repealing certain acts and parts of acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 982, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by eliminating the Board of Fish Commissioners, creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission, and further prescribing its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1068, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school buildings or athletic fields for charitable purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 11, 1949, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:10 o'clock, p. m., Eastern Standard Time, until Monday, April 11, 1949, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 7, 1949

The House met at 11:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

Reverend Dr. Arthur C. Thompson, pastor of Trinity Evangelical Reformed Church, Saxton, Bedford County, a guest of the gentleman from Bedford, Mr. Clapper, offered the following prayer:

Almighty God; we worship Thee.

In reverence and Godly fear we wonder at Thy power and wisdom which mould and sustain the universe; and wonder, also, at the succession of newly created days which reveal Thy careful providence.

Grant unto us that cooperative and obedient spirit which shall enable Thy will to work itself out in all our human relationships and endeavors.

May Christian brotherhood bring peace among the nations of the earth, and order within the borders of our Commonwealth.

We ask that prosperity and justice for all be the product of this Assembly; and may the knowledge of deeds well done be the abiding possession of each servant of the public welfare. Ever bind us personally more closely to Thee and Try good purposes.

All this we ask in the name of the Son of God and of His reign in the hearts of all men. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 6, 1949.

The Clerk proceeded to read the Journal of Wednesday, April 6,1949, when, on motion of Mr. CLAPPER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. McMILLEN, MADIGAN and HELM.

HOUSE BILL No. 1322

An Act making an appropriation to the Department of Public Instruction for reimbursing school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under the provisions of the State Public School Building Authority Act.

Referred to the Committee on Appropriations.

By Messrs. GREER and HARVEY A. MOORE.

HOUSE BILL No. 1323

An Act making an appropriation to the Department of Property and Supplies to acquire certain tracts of land adjacent to Slippery Rock State Teachers College in Butler County, Pennsylvania with the approval of the Governor and the Board of Trustees of Slippery Rock State Teachers College.

Referred to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 340, 903 and 906

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 340, Printer's No. 159, entitled "An Act to further amend the act approved the fourteenth day of April one thousand nine hundred five (P. L. 162) entitled 'An act regulating the method and procedure in the erection of line or partition fences' by eliminating township and borough auditors and councils of cities of the third class as fence viewers and substituting the county surveyor of the county or an adjoining county as the fence viewer."

JAMES H. DUFF.

April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 903, Printer's No 144, entitled "An Act to repeal section twenty-eight of the act approved the firth day of April one thousand seven hundred ninety (2Sm L 531) entitled 'An act to reform the penal laws of this state' relating to obsolete provisions for the custody and treatment of convicts in county jails and workhouses and to the appointment of keepers by sheriffs."

JAMES H. DUFF.

April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 906, Printer's No. 147, entitled "An Act to repeal the act approved the eighteenth day of May one thousand nine hundred thirty-three (P. L. 815) entitled 'An act to require county commissioners poor boards public officers trustees and others having jurisdiction of funds available for poor or unemployment relief or to tax or borrow for such purposes to furnish information and exhibit their records to the State Emergency Relief Board and providing penalties.'"

JAMES H. DUFF.

SENATE MESSAGES

CONCURRENT RESOLUTION RECALLING SENATE BILL 603

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 6, 1949.

Resolved (if the House of Representatives concurs), that Senate Bill No. 603, Printer's No. 186, entitled "An act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT SINE DIE

The Clerk of the Senate being introduced presented

an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 6, 1949.

Resolved, (if the House of Representatives concurs), That this Regular Session of the General Assembly adjourn sine die, Thursday, April 28th, 1949, at 6:00 o'clock P. M., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. Under the Rules the Chair refers the resolution to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 450.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations" by making further provisions relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of osteopathic services by doctors of osteopathy to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such osteopathic services by doctors of osteopathy

HOUSE BILL No. 451.

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan "doctors of osteopathy" and further defining "medical services" and "osteopathic services" for the purpose of this act only

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. EVANS from the Committee on Education, reported as amended, House Bill No. 916, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and prviding for assistance to school districts in certain cases.

Mr. SEYLER from the Committee on Education, reported as amended, Senate Bill No. 437, entitled:

An Act to further amend clause one of section three and clause two of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employement of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Mr. SCHMIDT from the Committee on Education, reported as amended, Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation, and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired, receiving survivor annuities or State compensation under the Public School Employes Retirement System.

Mr. NEFF from the Committee on Education, reported as committed, House Bill No. 536, entitled:

An Act to add section one thousand two hundred fifty-one point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act.

Mr. COLE from the Committee on Highways, reported as committed, Senate Bill No. 463, entitled:

An Act authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

Mr. KRATZ from the Committee on Highways, reported as committed, Senate Bill No. 522, entitled:

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to erect and maintain, a bridge over the Susquehanna River, connecting The State Highway System in Cumberland County with the system of State highways in Dauphin County, and to provide the necessary approaches and connections with such State highways; empowering counties to pay certain damages; and making an appropriation.

Mr. BAUMUNK from the Committee on Highways, reported as committed, Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class.

Mr. MILLER from the Committee on Professional Licensure, reported as committed, Senate Bill No. 581, entitled:

An Act to further amend section three of the act approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by further providing for emergency registration of nurses.

Mr. McMILLEN from the Committee on Education, reported as committed, Senate Bill No. 658, entitled:

An Act to amend subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the compensation of auditors in districts of the third and of fourth class.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 536, entitled:

An Act to add section one thousand two hundred fifty-one point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in he Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act authorizing and empowering the Secretary of Highways, with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 522, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to erect and maintain a bridge over the Susquehanna River connecting the State Highway System in Cumberland County with the system of State highways in Dauphin County and to provide the necessary approaches and connections with such State highways empowering counties to pay certain damages and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by further providing for emergency registration of nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 658, entitled:

An Act to amend subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the compensation of auditors in districts of the third and fourth class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS THE HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise to urge the passage of a Fair Employment Practice Act at this session of the Legislature of Pennsylvania and to ask the Committees having control of these bills in the House and Senate to report a satisfactory and good bill of this kind to the floors of this Legislature for action. I want to call the attention of the Labor Relations Committee of this House of Representatives to House Bill No. 32 introduced by myself which is modeled after the New York Law with a very few minor changes.

I believe that the passage of such a bill would be a great step in the promotion of Economic Justice in this state and would be a fulfillment of the pledge of the Republican Party of Pennsylvania to the people of Pennsylvania. I believe that this is legislation that strikes at one of the fundamental causes of social strife in this nation, namely race hatred and race discrimination. We cannot tolerate race discrimination if we truly believe in democracy because there is no super race in a democracy. It is time to take the Oligarchy or group rules out of our machinery for democracy by starting with a good Pennsylvania Fair Employment Practice Act.

There is talk that this is a matter of education and not a matter of legislation, but to those of you with that view I say, Is not justice based upon the administration of laws and how will you have justice in this state, in this nation, or in this world without law enforceable by organized society through its government? You certainly would not apply education alone without law to our property rights, our contract rights, or domestic relation rights, etc. I say pass the law and the law will hasten the education and public opinion against race discrimination.

As a member from the rural County of Adams, I do not hesitate to support this bill, whether it makes or looses me votes, I am for it because it is good legislation for the People of this Commonwealth. I stand ready to support any good Fair Employment Practice Bill that I may be given the opportunity to vote for, and I urge my party to take the lead.

Now, do not pass an inadequate F E P C Bill, but pass a sufficient and good law to really promote equal rights in employment. You should not pass a law which would prohibit an organization from bringing a complaint because many persons directly discriminated against are unable to know how to defend themselves nor do they have the funds to wage a sufficient legal defense. You should also not pass a law granting too small a penalty for violators or the bill will be grossly inadequate.

You will remember that it was President Lincoln, the first elected President of the Republican Party, who stated, "You can fool all of the people some of the time, and some of the people all of the time, but you can't fool all of the people all of the time." I believe this quotation is revelant in urging my party to fulfill its pledge to enact a good Fair Employment Practice Act. When he was President, the Republicant Party was then the liberal and progressive party, and it was the Democratic Party in that day that was the conservative and reactionary party. Now I say, walk in the foot steps of the Republican Party in its original form, and not in the footsteps of a group of special interest reactionaries who are unwilling to face and unable to foresee the way to promote democracy at home and the way to promote peace among the nations of this world. You never will win state and national elections going down the path of the few privileged interests because the people want us to promote democracy, not oligarchy and not dictatorship. The legislature is supposed to be the voice of the people in our democracy and not a bunch of puppets who can be shoved all around by some selfish political boss at the expense of the people of the state. Now, let us just stick with the people, and the people will not forget us. We cannot do otherwise if we truly believe in a government of the people.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. FROST. Mr. Speaker, I move that the communication from the Governor together with House Bill No. 176 be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 176

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 176, Printer's No. 43, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

RECONSIDERATION OF VOTE

Mr. FROST. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. DeLONG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Centre, Mr. Frost vote on the final passage of this bill?

Mr. FROST. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lehigh, Mr. DeLong vote on the final passage of this bill?

Mr. DeLONG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. FROST. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FROST. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out at the end of the line after the word "unpaid" the following: "and could have."

Amend Section 1, page 2, by striking out lines 2 to 7, inclusive, and inserting in lieu thereof the following: "are hereby made valid, notwithstanding the fact that prior to such sales executions upon any judgments recovered upon any such taxes and other municipal claims have been by writ of fieri facias instead of by writ of levari facias."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 723.

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor

With the information that the Senate has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 723.

An Act making it a misdemeanor to install or permit or procure the installation of any pipe appliance or fixture for the use of water in any building without securing a permit from the water company or municipality or municipal authority supplying such water or to by-pass any meter or registering device or in any other manner to secure the introduction or use of water with intent to evade payment of the charges made therefor and providing penalties therefor.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1192.

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty day prior to the beginning of trout season in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 12 by inserting after the word "trout" the words "and in streams emptying into Lake Erie within the confines of Pennsylvania from the mouth of the stream in a southerly direction to state highway route No. 5 a distance of approximately one-half mile."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SHOEMAKER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1134.

A Supplement to the act, approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6 by inserting after the word "Welfare" the following words "The Pennsylvania Historical and Museum Commission"

Amend Section 1, page 17, line 1 by inserting the following words "To The Pennsylvania Historical and Museum Commission" For the payment of the deficiency in the appropriation for payment of salaries wages general expenses supplies printing and equipment necessary for the work of such commission for historical research for the payment of the cost of preparation and erection of historical markers and for development and maintenance of historical monuments and sites the sum of fourteen thousand dollars ($14,000).

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,

DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1134.

A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine.

HOUSE BILL No. 1192.

An Act to further amend section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for a closed season of thirty days prior to the beginning of trout season in certain cases

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, during the last month is has come to the attention of the Minority Leader and myself that a great many resolutions have been sponsored by Members who have requested clearance by the Minority Leader and myself for the purpose of being considered immediately. There is no question in my mind that this seriously disrupts the proceedings of the House and that we have over-emphasized some resolutions which do not fit into the category such as require immediate consideration.

I would like to say at this time that we trust that the membership, when they introduce resolutions, will allow them to proceed in due course through the Committee on Rules for consideration there, unless they fit into the category such a condolence resolution concerning a Member of this House, that is the Member himself, or a State or National official of prominence, or, of course, unless they fit into the category of a privileged resolution as determined by the Rules of the House. We feel that all such resolutions should be referred to the Committee on Rules to be considered there, and I trust that request will not be made for their immediate consideration, thereby eliminating the need for my considering them and denying the Member the right to have them received for immediate consideration.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, neither the Majority Leader nor myself enjoy refusing to give the Members immediate consideration. We would like to give all resolutions immediate consideration, but the Members of the House can readily see that as we approach the closing days time will become very valuable, and so I echo the sentiment of the Majority Leader and hope that the Members will not ask for consideration of resolutions that should properly go into the record and go to the Rules Committee, because it pains us to tell some new Member who very much wants to read his resolution on the floor, to have to say "no" and yet as we come to the very close it will be necessary, if there are too many resolutions, to say "no".

The SPEAKER. The Chair wishes to thank both the Majority Leader and the Minority Leader for their comments, and wishes also to join in their request for the cooperation of the Members in this matter.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 718, entitled:

An Act to further amend sections six hundred eight one thousand two hundred one and one thousand two hundred eighteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees and prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for dam-

ages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeiture fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing a reexamination of operators involved in a traffic accident providing for the issuance of summons on sight for violations of this act and requiring pedestrians to comply with traffic signals and officers directing traffic.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act to further amend section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by permitting certain county employes of county correctional institutions in counties of the second class to be credited for previous service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 912, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employes of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this Act or the regulations adopted thereunder and repealing certain acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 987, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by granting certain preferences to soldiers in examinations selection and appointment of eligibles and furloughs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 200, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 111, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulation the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by designing all murder committed during the perpetration or attempt to perpetrate sodomy as murder as murder of the first degree.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 604, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the

public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to further amend the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by giving additional preferences to certain disabled soldiers and their wives.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 911, entitled:

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing the salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by changing license fee provisions providing for payment of fees and fines to the various municipalities and empowering burgesses to try violators

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth prescribing procedure for the obtaining of jurisdiction over the judgment debtor the raising of defenses thereto appeals therefrom and execution thereon and saving existing methods of enforcing the same.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1197, entitled:

An Act to repeal the act approved the third day of April one thousand eight hundred seventy-two (P. L. 751) entitled "An act to prohibit the use of billiard tables bowling-alleys dice or card tables in the township of Wyalusing in the county of Bradford" in so far as it prohibits the keeping or using of bowling-alleys in that portion of the former township which is now the Borough of Wyalusing.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1261, entitled:

An Act to protect the public health in Cities of the First Class; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops con-

nected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Public Health of such cities; and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. SAX. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1306, entitled:

An Act to further amend the first paragraph of section five hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by fixing the annual registration fee for certain trailers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1319, entitled:

An Act to amend sections four and ten of the act approved the second day of July one thousand nine hundred and forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by decreasing the amount of the permanent tax imposed thereunder by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof

The first section was read.

On the question,

Will the House agree to the section?

Mr. CADWALADER offered the following amendment:

Amend Sec. 1 (Sec. 4), page 4, by inserting after line 19, the following: "The tax shall be payable upon fuels used by the Commonwealth and the political subdivisions thereof."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167 and

Senate Bill No. 160, Printer's No. 40

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section three of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for and payment of such items.

And said bill having been read at length the second time and agreed to.

Ordered, To be transferred for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or with fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the right powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corportion conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State department commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing investments in second liens in cases and under conditions herein specified.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 212, entitled:

An Act to further amend section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain children placed in foster homes by the court eligible for assistance.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 218, Printer's No. 148

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 230, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" by excepting loans made under the National Housing Act.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 231, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by modifying limitations upon officers holding more than one office permitting additional borrowing permitting additional investment in property used in the transaction of business broadening mortgage lending limitations and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeaby to order,

The House proceeded to the second reading and consideration of Senate Bill No. 340, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 432, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 433, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims, against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue, and fixing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 497, entitled:

An Act relating to nurses providing for the licensing and registration of nurses of several classes and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement providing for the annual recording of such licenses regulating nursing in general imposing penalties and repealing certain laws

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STUART. Mr. Speaker, in accordance with the agreement in Committee I move that this bill be recommitted to the Committee on Professional Licensure for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 498, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the State Board of Examiners for Registration of Nurses

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STUART. Mr. Speaker, in accordance with the agreement in Committee I move that this bill be recommitted to the Committee on Professional Licensure for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district and increasing millage rate in seventh and eighth class counties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 565, entitled:

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 631, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P .L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivisions for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws" by providing for the refund of taxes of any kind or character.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for joinder in existing authorities by additional municipalities and making provision for the amendment of articles of incorporation by an authority.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 167, as follows:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions of and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institutions districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of cetrain property to counties cities wards boroughs townships institutions districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 418) and the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 706) is hereby further amended to read as follows

Section 2

* * * * *

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred [forty-nine] fifty-one Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full, so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision The purchase price agreed upon as aforesaid may in addition to the payment of money by the Commonwealth also include the transfer by the Commonwealth to the institution district of the county in which the same is located for the care and maintenance of indigent persons of lands buildings furnishings equipment and other chattels heretofore used by the Commonwealth for the care of mental patients upon certification by the Department of Welfare approved by the Governor that the same are no longer required by the Commonwealth for the purposes of a mental hospital An authenticated copy of such certification and approval with reference to the provisions of this act when duly recorded in the office of recorder of deeds of the proper county shall operate as a good and sufficient deed of conveyance and assignment of such property from the Commonwealth to the institution district of said county

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,

Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, as follows:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth.

Mr. BANE. Mr. Speaker, we request that the bill be considered for the reason that the amendments have now been cleared by both sides by agreement, and we are ready to go ahead.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1803), page 4, line 1, by inserting a bracket before the word "ten."

Amend Sec. 1 (Sec. 1803), page 4, line 1, by inserting after the word "years" the following "] fifty years in ten year periods renewable at the option of the lessee."

Amend Sec. 1, (Sec. 1803), page 4, lines 11 and 12, by striking out the following "Violation of" on line 11, and "some rule or regulation of the department" on line 12.

Amend Sec. 1, (Sec. 1803), page 4, line 15, by inserting after the word "purposes" the following "The lessee shall have the right under the provisions of this act to remove any structure or building on the land leased to him at any time during the period of the lease or within one year following the termination of the lease."

Amend Sec. 2 (Sec. 1806), page 5, line 14, by inserting a bracket before the word "ten."

Amend Sec. 2 (Sec. 1806), page 5, line 14, by inserting after the word "years" the following "] fifty years in ten year periods renewable at the option of the lessee."

Amend Sec. 2 (Sec. 1806), page 6, lines 5 and 6, by striking out "violation of some rule or regulation of the" on line 5, and "Department" on line 6.

Amend Sec. 2, (Sec. 1806), page 6, line 8 by inserting after the word "purposes" the following "The lessee shall have the right under the provisions of this act to remove any structure or building on the land leased to him at any time during the period of the lease or within one year following the termination of the lease."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 363, as follows:

An Act to amend section twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by changing the amount of the county annuity to which a beneficiary is entitled upon retirement for superannuation.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DeLONG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 6 and 7, by striking out the words "by changing the" on line 6, and all of line 7, and inserting in lieu thereof "by authorizing the retirement board to fix a larger county annuity."

Amend Sec. 1 (Sec. 12), page 2, line 16, by inserting after the word "annuity" the following "to be fixed by the retirement board."

Amend Sec. 1, (Sec. 12), page 2, line 16, by striking out the bracket before the word "one."

Amend Sec. 1, (Sec. 12), page 2, line 16, by striking out the bracket after the figure "(1-120)."

Amend Sec. 1, (Sec. 12), page 2, line 17, by inserting before the word "One" the following "or."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 403, Printer's No. 231

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 427, as follows:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 County Officers County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Altshuler,	Fox,	Leisey,	Riley, R. L.,
Amarando,	Frank,	Leonard,	Robbins,
Andrews,	Frost,	Loftus,	Robertson,
Bane,	Gaffney,	Lovett,	Rose,
Barkdoll,	Gallagher,	Madigan,	Rovansek,
Baumunk,	George,	McCormack,	Royer,
Beaver,	Gibson,	McCullough,	Sarraf,
Bednarek,	Glembocki,	McGee,	Sax,
Blair,	Good,	McKinney,	Scanlon,
Bloom,	Goodling,	McMillen,	Schmidt,
Boles,	Graybill,	McNally,	Schuster,
Bomberger,	Green,	Mihm,	Scott,
Boorse,	Greenwood,	Mikula,	Seyler,
Bower,	Greer,	Miller,	Shoemaker,
Brandon,	Guarnieri,	Milliken,	Smith, C. C.,
Breisch,	Guthrie,	Mills,	Smith, W. B.,
Breth,	Hagerty,	Mintess,	Snider,
Brice,	Hall,	Monroe,	Sollenberger,
Brown, H. S.,	Hamilton,	Moore, C. E.,	Spencer,
Brown, W. E.,	Harney,	Moore, H. A.,	Stank,
Brunner,	Harris,	Moran,	Stimmel,
Bucchin,	Haudenshield,	Munley,	Stuart,
Cadwalader,	Heatherington,	Murray,	Swope,
Clapper,	Helm	Musto,	Tahl,
Clendening,	Herman,	Nagel,	Taylor,
Cochran,	Hewitt,	Najaka,	Thompson,
Cole,	Hocker,	Needham,	Tompkins,
Coleman,	Hoffman,	Neff,	Toomey,
Conway,	Hoggard,	Nixon,	Varallo,
Cooper,	Hunter,	O'Dare,	Varner,
Costa,	Jenkins,	O'Donnell,	Verona,
Dalrymple,	Jennings,	Olsen,	Wachhaus,
DeLong,	Jim,	Orban,	Wagner,
Dennison,	Johnson,	Penglase,	Wargo,
Depuy,	Jones, G. E.,	Pentrack,	Waterhouse,
Dougherty,	Jones, J. M.,	Peta,	Watkins
Driscoll,	Jump,	Petrosky,	Weidner,
Duffy,	Kamyk,	Pettigrew,	Weiss,
Dye,	Keller,	Pfaff,	Welsh,
Elder,	Kemp,	Polen,	Westrick,
Erb,	Kent,	Posta,	Wheeler,
Evans,	Kirley,	Powers,	Williams,
Ewing,	Kline,	Price, H. W., Jr.,	Wood,
Felton,	Kohl,	Price, R. A.,	Yaffe,
Ferster,	Kolankiewicz,	Propert,	Yeakel,
Filo,	Kondrath,	Readinger,	Yetzer,
Firmstone,	Kratz,	Reese,	Young,
Flack,	Kurtz,	Reidenbach,	Ziegler,
Fleming,	Lederer,	Reilly, J. M.,	Sorg,
Floyd,	Lee,	Reynolds,	Speaker

NAYS—7

Limper,	Rosen,	Wescott,	Yester,
Reagan,	Sternberg,	Worley,	

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 549, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" are hereby amended by adding certain additional roads to be removed from the State highway system to read as follows

Section 1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" or under the provisions of Section 217 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) known as the "State Highway Law" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

The section of road in the City of Pittsburgh Allegheny County designated in the records of the Department of Highways as Route 246 Spur "E" beginning at a point on Route 70 at Galveston and Ridge Avenues thence westerly a distance of about .13 of a mile

Section 2 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system the section of the former Milesburg and Smethport Turnpike identified in the records of the Department of Highways as Route 865 extending from Route 411 at Caledonia Elk County a distance of about 3.69 miles to the Clearfield County line in Jay Township

Section 3 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as State highways certain county highways and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

Section 2 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

Application 3955 beginning at a point on South Heights Borough-Hopewell Township line thence in a southerly direction on North Jordan Street to [an intersection with the continuation of State highway route] a point on the Beaver-Allegheny County line in the Borough of South Heights Beaver County a distance of about [.3] .8 of a mile

[Route 07013 extending Route 07013 beginning at a point on the South Williamsburg Borough-Woodbury Township line thence in a northwesterly direction on Second Street thence in a northeasterly direction on High Street to an intersection with Route 260 at High and Front Streets in the Borough of Williamsburg Blair County a distance of about .45 of a mile]

[Route 07014 extending Route 07014 beginning at a point on the South Duncansville Borough-Blair Township line thence in a northerly direction on Seventh Street to an intersection with Route 53 at Seventh Street and third Avenue in the Borough of Duncansville Blair County a distance of about .11 of a mile]

[Route 20145 Extending Route 20145 beginning at a point on the Rome Township-Centerville Borough line thence southwesterly over Sparta Street to Route 20106 at Sparta and Garland Streets in the Borough of Centerville Crawford County a distance of about 0.8 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a southerly direction to a point on Route 161 about 300 feet east of the Frackville underpass in the Borough of Frackville Schuylkill County a distance of about 0.1 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Gilberton Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction to a point on Route 161 about 0.9 of a mile west of the intersection of Route 161 and Route 290 spur in the Borough of Gilberton Schuylkill County a distance of about 0.7 of a mile]

Route 64235 Extending Route 64235 beginning at a point

on the Derry Township-Latrobe Borough line at Station Street thence over [Harrison Avenue and Ligonier Street] Lincoln Avenue to a point on Route 480 at [Ligonier] Lincoln Avenue and Depot [Streets] Street in the Borough of Latrobe Westmoreland County a distance of about [1 mile] 1.2 miles

Section 2 Said act is hereby further amended by adding thereto the following new routes

Eden Park Borough

Route 392 Extending Route 392 beginning at a point on the south line of the City of McKeesport at 37th Street thence southerly over Walnut Street to a point on Route 288 in the Borough of Eden Park Allegheny County a distance of .2 of a mile

Mercer Borough

Route 43017 Spur beginning at a point on Route 43017 at Diamond and Pittsburgh Streets thence over Diamond Street to Route 246 at Erie Street in the Borough of Mercer Mercer County a distance of about .08 of a mile

Stoneboro Borough

Route 43052 Spur beginning at a point on Route 208 on Mine Street thence northerly to a point on Route 43052 in the Borough of Stoneboro Mercer County a distance of about 0.6 of a mile

West Middlesex Borough

Route 43109 Extending Route 43109 beginning on the Shenango Township line thence easterly to a point on Route 238 Spur B in the Borough of West Middlesex Mercer County a distance of about .36 of a mile

Danville Borough

Route 47040 Extending Route 47040 beginning at a point on the east line of Danville Borough and extending over Spruce Street and Cherry Street to the intersection of Route 3 in the Borough of Danville Montour County a distance of 0.27 miles

Schuylkill Haven and Cressona Boroughs

Route 53116 Beginning on Route 140 at the intersection of Columbia and Berne Streets thence over Berne Schuylkill and Front Streets to a point on Route 417 at Chestnut Street in the Boroughs of Schuylkill Haven and Cressona Schuylkill County a distance of about 1.4 miles

Blossburg Borough

Route 58115 Extending Route 58115 beginning at a point on the south line of Blossburg Borough thence northeasterly on a borough street to an intersection with application 7412 in the Borough of Blossburg Tioga County a distance of about 1.3 miles.

Section 3 This act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing

the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

[Route 02231 Beginning at a point on the Lebanon Church Road near its intersection with Route 376 thence northwesterly through Mifflin Township to a point on Route 02229 in Allegheny County a distance of about 1.1 miles]

Route 03060 Beginning at Shay southeasterly in Kittanning Township through the village of Rockville to Pyrra thence northeasterly to a point on the Kittanning-Plum Creek Township line and continuing northeasterly in Plum Creek Township to an intersection with Route 67 [at] north of Whitesburg in Armstrong County a distance of about [4.7] 4.95 miles

Route 07002 Beginning at a point on Route 07049 about .75 of a mile east of Cambria County line thence south in Juniata and Greenfield Townships to a road intersection at a church about one mile southeast of Bob's Run thence northeasterly to the southern terminus of Route 07038 approximately one and one-quarter miles south of the village of Blue Knob thence easterly to the village of Fredericksburg thence southeasterly along Poplar Run to a point on Route 47 in the village of Claysburg in Blair County a distance of about [7.8] 12.3 miles

Route 07008 Beginning at a point on Route [734 approximately four miles north of the borough line of Martinsburg in Huston Township Blair County thence northeasterly through Huston Township to] 07009 at the village of Shantytown thence easterly in Huston Township to a road intersection in the village of Drab in Blair County a distance of about [3.6 miles] .73 of a mile

[Route 07013 Beginning at a point on the southern borough line of Williamsburg Woodbury Township Blair County thence southerly through Woodbury Township to a road intersection approximately at Clover Creek thence northeasterly to the village of Calcite thence northerly to the village of Fisherville thence northerly to an intersection with Route 07039 in Blair County a distance of about 5.8 miles]

Route 07014 Beginning at a point on [the southern borough line of Duncansville in Blair Township Blair County thence southeasterly through Blair Township to a road intersection] Route 884 south of New Portage thence northeasterly to a point on the western borough line of Hollidaysburg in Blair County a distance of about [1.9] 1.1 miles

Route 12007 Beginning at a point on the Shippen Township-Emporium borough line at the South Broad Street bridge thence in a general southwesterly direction through Shippen Township to a road intersection in Cameron County a distance of about [6.7] 3.6 miles

[Route 20145 Beginning at a point on the Centerville Borough-Rome Twonship line thence in a northeasterly and northerly direction through Rome and Sparta Townships to a point on Route 200 at Britton Run in Crawford County a distance of about 3.9 miles]

[Route 25003 Beginning at the Ohio State Line 1.25 miles north of Conneaut Creek being the underridge road thence easterly in Springfield Township via Gould School and Armstrong Corner to a point on Route 85 near Five Corners about one mile southeast of West Springfield in Erie County a distance of about 3.4 miles]

Route 25012 Beginning at a point on the Crane Road at Cobbs Corners thence north in Elk Creek Township approximately parallel to Little Elk Creek via Fillinger School to a point on the south line of Girard Township thence north to a point on [the old state road at Millers Corners about one mile east of the east line of Platea Borough] Route 25014 near Little Elk Corners in Erie County a distance of about [2.9] 4.1 miles

[Route 25078 Beginning at Egley Corners in Springfield Township and running in a general westerly direction in Springfield Township to the Ohio State Line in Erie County a distance of about 3.0 miles]

[Route 28056 Beginning at a point on Route 606 about 0.3 of a mile west of Smoketown and extending in an easterly direction through Greene Township by the way of Smoketown to a point on Route 28019 about 0.3 of a mile south of the intersection of Routes 28019 and 28009 at Sharps School in Franklin County a distance of about 1.25 miles]

[Route 28076 Beginning at a point on Route 36 about 0.1 of a mile south of Route 28033 thence in a southeasterly direction through Guilford Township to a point on Route 28020 about 1.0 mile northeast of Application 230 in Franklin County a distance of about 1.1 miles]

[Route 32029 Beginning at a point on Route 32021 about .5 of a mile northeast of Uherum thence northerly through Buffington Township to an intersection with Route 32027 approximately 2.0 miles south of the Buffington-Pine Township line in Indiana County a distance of about 2.0 miles]

Route 32082 Beginning at a point on Route 63 approximately 1.75 miles southwest of Marion Center Borough in Rayne Township Indiana County thence northerly through Rayne Township to a point on the Rayne-East Mahoning Township line thence northerly and easterly through East Mahoning Township to a [road intersection approximately one mile west of the village of Hamill] point on Route 32081 at Georgeville in Indiana County a distance of about [4] 7.2 miles

[Route 32116 Beginning at a point on Route 32111 at Goodville thence westerly through West Mahoning Township to connect with Route 03095 on the Indiana-Armstrong County line in Indiana County a distance of about 1.0 mile]

[Route 32122 Beginning at a point on Route 32075 about 0.8 of a mile south of the East Mahoning-Rayne Township line thence in a northwesterly direction through Rayne Township to a point on Route 63 about 0.2 of a mile southwest of its intersection with Route 32082 in Indiana County a distance of about 0.9 of a mile]

[Route 32170 Beginning at a point on Route 32039 about 1.0 mile northeast of Croft thence in a general southeasterly direction through Buffington Township to a point on Route 32037 near its intersection with Route 32029 in Indiana County a distance of about 2.5 miles]

Route 32171 Beginning on the south line of Jacksonville Borough thence southeasterly through Young and Blacklick Townships to a point on Route 902 in Indiana County a distance of about [.9 of a mile] 2.2 miles

Route 34006 Beginning at a point in Spruce Hill Township intersecting Route 45 about one-fourth mile west of Spruce Hill thence northerly to a point intersecting Route 437 about one mile south of Academia thence from a point intersecting Route 437 at Academia easterly through Beale Milford and Turbett Townships to a point intersecting Route 45 about one mile southwest of Port Royal thence from a point intersecting Route 45 about three-fourth mile southwest of Port Royal through Turbett [and Walker Townships] Township to a point on Route 34029 beginning again at a point of intersection with Route 34048 on the north side of the Juniata River thence northerly in Walker Township via Mexico intersecting Route 31 to a point in Walker Township intersecting Route 637 about two and one-half miles west of Van Wert in Juniata County a distance of about [13.87] 13.69 miles

[Route 34043 Beginning at a point on Route 34005 about 0.5 of a mile southwest of McCullough's Mills thence in a southwesterly direction through Tuscarora Township along Willow Run to intersect with a road leading north over Shearer Ridge in Juniata County a distance of about 1.7 miles]

[Route 36141 Beginning at a point on Route 36018 about 0.3 of a mile northwest of its intersection with Route 36019 thence in a northeasterly direction through Little Britain and Colerain Townships to a point on Route 527 about 0.7 of a mile northwest of Octoraro Creek in Lancaster County a distance of about 2.4 miles]

Route 43049 Beginning at State Route 208 just east of

the overhead crossing of the Bessemer and Lake Erie Railroad and running north through Coolspring Township by way of Elder's Corners to a point on the dividing line between Coolspring and Fairview Townships thence north through Fairview Township via Oak Grove and north in Perry Township to a point of intersection with [the district road at the White School] Route 43105 west of Clark's Mills in Mercer County a distance of about [7.4] 10.2 miles

Route 43057 beginning at a point on Route 208 at Booher's Corners thence north to a point on the dividing line between Sandy Lake and Mill Creek Townships thence north to Mill Creek Township [past the] to the Glen School [to] on Route [43073 at Five Point] 43072 in Mercer County a distance of about [3.96] 2.67 miles

[Route 43085 Beginning at a point on Route 43048 at Hagertys Corner thence easterly through Perry Township to a point on Route 213 about 0.25 of a mile north of the Perry-Fairview Township line in Mercer County a distance of about 1.2 miles]

Route 43088 Beginning at a point on Route [213 about 0.3 of a mile north of the north borough line of Sheakleyville thence in a general northeasterly direction through Sandy Creek Township to a point on the dividing line between Sandy Creek and Deer Creek Townships thence northeasterly through Deer Creek Township by way of Hogue Corners Smiths School and] 43090 near Sumol thence northerly to a point on the dividing line between Mercer and Crawford Counties at Peterson Corners thence easterly on the boundary line of Mercer and Crawford Counties to Heart Corners thence northeasterly through Deer Creek Township by way of Doolittle Corners to a point on the dividing line between Mercer and Crawford Counties thence easterly on the boundary line of Mercer and Crawford Counties through Deer Creek and French Creek Townships to a point on Route 294 at Buchanan Corners in Crawford and Mercer Counties a distance of about [9.3] 7.55 miles

[Route 43089 Beginning at a point on Route 43046 at Fell School Corners thence easterly through Salem Township to the Salem-Sandy Creek Township line at Crouser Corners thence easterly through Sandy Creek township to a point on Route 43067 at Chess Corners in Mercer County a distance of about 2.8 miles]

[Route 43100 Beginning at a point on Route 43043 near the Delaware Township line thence northerly through Fairview and Perry Townships about 1.4 miles to a road intersection thence easterly to a point on Route 43048 about 0.5 of a mile west of Hagertys Corners in Mercer County a distance of about 1.9 miles]

[Route 44011 Beginning at a point in Granville Township about one-half mile northeast of Lock Port thence northerly to a point intersecting Route 44006 about one mile south of Strode's Mills in Mifflin County a distance of about .2 of a mile]

Route 44015 beginning at a point in Decatur Township intersecting Route 28 about one mile east of Wagner thence northerly and easterly through Decatur Township [via Snook] to a point [intersecting Route 44002 about two miles east of Belltown] on the Mifflin-Snyder County line in Mifflin County a distance of about [3.66] 3.22 miles

[Route 44019 Beginning at a point on Route 44001 near Atkinson's Mills thence northwesterly northeasterly and easterly through Wayne Township to a second point on Route 44001 about 0.2 of a mile southwest of the Wayne-Oliver Township line in Mifflin County a distance of about 2.45 miles]

[Route 44021 Beginning at a point on Route 603 about 1.0 mile southwest of Longfellow thence southwesterly and northwesterly through Bratton Township to a second point on Route 603 in Mifflin County a distance of about 0.8 of a mile]

[Route 44022 Beginning at a point on Route 470 in Granville thence northeasterly through Granville Township to a point on Route 44012 in Mifflin County a distance of about 1.3 miles]

[Route 44031 beginning at a point on the north line of Lewistown Borough at Walnut Street thence northwesterly through Derry and Granville Townships about .15 of a mile to a road intersection thence southwesterly to a point on the north line of Lewistown Borough near the intersection of Grand and Ridge Avenues in Mifflin County a distance of about 0.4 of a mile]

[Route 44032 Beginning at a point on Route 44022 at McCoys Ford thence southeasterly through Granville Township to a point on Route 470 in Mifflin County a distance of about 1.6 miles]

[Route 47021 Beginning at a point on Route 47018 about 0.5 of a mile southwest of Ottawa thence northwesterly through Limestone Township to the intersection with Route 47019 at the Northumberland County line about 1.0 mile south of State Highway Route 240 in Montour County a distance of about 1.6 miles]

[Route 47023 Beginning at a point on State Highway Route 249 about 0.75 of a mile northwest of White Hall thence northwesterly through Anthony Township to the crossing on State Highway Route 453 about 1.25 miles northeast of its intersection with State Highway Route 249 thence northwesterly through Anthony Township to the intersection with Route 47015 about 0.5 of a mile southwest of Lycoming County line in Montour County a distance of about 3.2 miles]

Route 50030 Beginning at a point on Route 50004 about 0.6 of a mile south of the Wheatfield-Penn Township line thence in a northeasterly direction to [a road intersection about five hundred feet west of] Aqueduct Station on the Pennsylvania Railroad in Perry County a distance of about [1.20] 1.28 miles

[Route 53016 Beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction through West Mahanoy Township to the Gilberton Borough line in Schuylkill County a distance of about 0.1 of a mile]

Route 58051 Beginning at a point on State Highway Route 103 in Lawrence Township approximately [1.0 mile east of Tompkins] .9 of a mile west of Lawrenceville thence southerly [through] in Lawrence [and Tioga Townships] Township [to the intersection with State Highway Route 22 at the northern boundary line of Tioga Borough in] Tioga County a distance of [about 5.2] 2.2 miles

Route 64235 Beginning at a point on the southeastern line of Latrobe Borough thence in a southeasterly direction through Derry Township to a point on Route 64045 about 0.1 of a mile [west of] at Oakville in Westmoreland County a distance of about 0.3 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

Allegheny County

Route 02038 Beginning at a point on Route 807 at its intersection with Kleber Road thence southeasterly along Kleber Road to the old Butler Plank Road thence in a northerly direction along the old Butler Plank Road to a point on Route 72 about 1.1 miles south of the Hampton-Shaler Township line in Allegheny County a distance of about 1.1 miles

Blair County

Route 07060 Beginning at a point on Route 286 southeast of Sharpsburg thence northeasterly in Taylor and Huston Townships to a point on Route 734 about 1.1 miles north of the Huston-North Woodbury Township line in Blair County a distance of about three miles

Route 07061 Beginning at a point on Route 07022 in the village of Royer thence northeasterly in Woodbury Township to a point on Route 260 near the village of Gannister in Blair County a distance of about 4.8 miles

Cameron County

Route 12010 Beginning at a point on Route 99 about 3 miles southwest of Emporium Borough thence in a

northeasterly direction through Shippen Township to a point on Route 99 near the Emporium Borough line in Cameron County a distance of about 3.0 miles

Route 12011 Beginning at a point on Route 105 near Emporium Junction thence easterly in Shippen Township to Sylvan Heights in Cameron County a distance of about 0.4 of a mile

Crawford County

Route 20151 Beginning at a point on Route 20104 near Shelmadine Springs thence northeasterly in Oil Creek and Rome Townships to a point on Route 20120 about one mile east of Vrooman in Crawford County a distance of about 3.3 miles .

Route 20152 Beginning at a point on Route 20035 east of Kasters Corners thence northerly and easterly in Wayne and Jackson Townships to a point on Route 20032 near Wilsons Mills in Crawford County a distance of about 4.8 miles

Elk County

Route 24032 Beginning at a point on Route 24012 near Mt Zion Church thence in a general southeasterly direction in Jay Township to a point on Route 411 near Caledonia in Elk County a distance of about 2.2 miles

Route 24033 Beginning at a point on Route 24013 just north of Application 1247 thence northeasterly in Benzinger Township to a point on the Cameron County line in Elk County a distance of about 9.3 miles

Erie County

Route 25127 Beginning at a point on Route 85 about .7 of a mile north of the Crawford-Erie County line thence easterly in Conneaut and Elk Creek Townships to a point on Route 25009 in Erie County a distance of about 2.5 miles

Franklin County

Route 28087 Beginning at a point on Route 43 near Black Gap thence westerly in Greene and Guilford Townships to a point on Route 43 near the Pennsylvania Railroad in Franklin County a distance of about 3.18 miles

Indiana County

Route 32172 Beginning at a point on Route 32090 about .5 of a mile east of Route 32089 thence northerly in East Mahoning Township to a point on Route 32089 in Indiana County a distance of about 1.3 miles

Route 32173 Beginning at a point on Route 32001 east of Saltsburg Borough thence southwesterly in Conemaugh Township to the village of White in Indiana County a distance of about 1.5 miles

Route 32174 Beginning at a point on Route 32076 west of Purchase line thence northerly in Green and Grant Townships to a point on Route 32084 in Indiana County a distance of about 2.1 miles

Route 32175 Beginning at a point on Route 32071 near Taylorville thence southerly in Green Township to a point on Route 262 in Indiana County a distance of about 0.7 of a mile

Route 32176 Beginning at a point on Route 32084 just west of the Grant-Montgomery Township line thence northerly and easterly in Grant and Montgomery Townships to a point on Route 32086 just south of Wilgus in Indiana County a distance of about 2.5 miles

Route 32177 Beginning at a point on Route 32097 about .7 of a mile north of the west Mahoning-South Mahoning Township line thence easterly in West Mahoning Township to a point on Route 32101 in Indiana County a distance of about 3.7 miles

Juniata County

Route 34062 Beginning at a point on Route 34020 south of Cocolamus thence easterly in Fayette and Monroe Townships to a point on Route 34011 about one mile south of Evendale in Juniata County a distance of about 2.65 miles

Route 34063 Beginning at a point at the intersection of Routes 349 and 45 southwest of Port Royal Borough thence westerly and southerly in Milford Township to a point on Route 34006 in Juniata County a distance of about 3.5 miles

Lancaster County

Route 36182 Beginning at a point at the intersection of Route 442 and Route 442 Spur E in the village of Overbrook thence easterly through Manheim Township to a point on Route 36041 in the village of Roseville in Lancaster County a distance of about 0.9 of a mile

Route 36183 Beginning at a point on Route 215 about 1.1 miles east of the intersection of Routes 142 and 215 thence northerly and westerly through East Lampeter and Manheim Townships via Greenfield Station and Eden to a point on Route 36041 about 0.75 of a mile northeast of the village of Glenmore in Lancaster County a distance of about 5.77 miles

Mercer County

Route 43113 Beginning at a point on the Lawrence County line 2.25 miles east of New Wilmington thence northeasterly through Wilmington Springfield and East Lackawannock Townships to a point on Route 246 about 2.5 miles south of Mercer in Mercer County a distance of about 5 miles

Mifflin County

Route 44037 Beginning at a point on Route 44001 about 1.8 miles northeast of Newton Hamilton Borough thence northerly in Wayne Township to a point on Route 44001 about one mile southeast of Atkinson Mills in Mifflin County a distance of about 3.0 miles

Route 44038 Beginning at a point on Route 44001 near Strode's Run thence northeasterly in Granville Township to a point on Route 44013 in Mifflin County a distance of about 3.5 miles

Montour County

Route 47038 Beginning at a point on Route 240 just north of the Valley-Derry Township line thence westerly through Derry Township and southwesterly in Liberty Township to a point on Route 47004 just south of Chillisquaque Creek in Montour County a distance of about 2.7 miles

Route 47039 Beginning at a point on Route 47015 north of the Anthony-Derry Township line thence westerly in Anthony Township to a point on Route 240 in Montour County a distance of about 1.2 miles

Route 47040 Beginning at a point on Route 47010 about .75 of a mile north of Route 3 thence southwesterly in Mahoning Township to a point on the east line of Danville Borough in Montour County a distance of about 2.5 miles

Schuylkill County

Route 53117 Beginning at a point on Route 53097 just south of Barnesville thence westerly in Rush and Ryan Townships to a point on Route 53036 in Schuylkill County a distance of about 1.15 miles

Tioga County

Route 58115 Beginning at a point on Route 21 near its intersection with Route 58039 thence northeasterly in Bloss and Hamilton Townships to the Blossburg Borough line in Tioga County a distance of about 0.3 of a mile

Route 58122 Beginning at a point on Route 22 at the northern Boundary line of Tioga Borough thence northwesterly in Tioga Township Tioga County a distance of about 1.08 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altahuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 552, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefore regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and in public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" and its amendments are hereby deleted as indicated or amended to read as follows

[Beginning at a point on the intersection of Fifth Avenue and Hartman Street thence along Hartman Street to a point on the line dividing the city of McKeesport from Versailles Township beginning again at the intersection of Thirty-Seventh Street and McCarrell Avenue on the line dividing Versailles Township and McKeesport City thence over Thirty-Seventh Street to the intersection with Walnut Street on the line dividing McKeesport City and Versailles Township in the city of McKeesport a distance of about .7 of a mile]

Beginning at a point on the North Line of Eden Park borough at 37th Street thence over Walnut Street and Lysle Boulevard to the intersection of Fifth Avenue and Hartman Street thence eastwardly along Fifth Avenue to the McKeesport City-Versailles Township line East of Lime Street in the City of McKeesport a distance of about [.5 of a mile] 5.18 miles

Beginning at a point at the intersection of Taylor Street extension and East Washington Street thence southwest on Taylor Street extension to Cunningham Avenue thence West on Taylor Street to Neal Street thence North an Neal Street to Grove Street thence West on Grove Street to [Croton Avenue Extension] Jefferson Street in the city of New Castle Lawrence County a distance of about [0.9 of a] one mile [provided the above route shall not be taken over until the entire route shall have been laid out and opened to traffic]

Section 2 Said act is hereby further amended by adding thereto the following new routes Beginning at a point on the Corry City-Concord Township Line thence over West Washington Street to North Center Street in the City of Corry a distance of about .99 of a mile

Section 3 The streets established as State highways under the provisions of this act may be taken over for

construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 577, Printer's No. 392

was passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BRUNNER asked and obtained permission for the Committee on Rules to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 581, as follows:

An Act to add clause (m) to section one hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within meaning of term occupational disease in the case of nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" is hereby amended by adding at the end thereof a new clause to read as follows

Section 108 The term "occupational disease" as used in this act shall mean only the following diseases

* * * * *

(m) Tuberculosis in the occupation of nursing involving exposure to such disease

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,

Bower,	Guarnieri,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mantess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. R.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 877, Printers No. 376

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1037, as follows:

An Act to amend the act approved the twenty-fifth day of April one thousand nine hundred twenty-seven (P. L. 381) entitled "An act concerning arbitration and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts including contracts to which the State or any municipal subdivision thereof may be a party regulating the procedure under such provisions and agreements and conferring certain powers and imposing certain duties upon the courts with reference thereto" by extending the provisions thereof to written collective bargaining contracts for arbitration of controversies and further defining the effect of judgments conforming modifying or correcting awards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one eleven and fourteen of the act approved the twenty-fifth day of April one thousand nine hundred twenty-seven (P. L. 381) entitled "An act concerning arbitration and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts including contracts to which the State or any municipal subdivision thereof may be a party regulating the procedure under such provisions and agreements and conferring certain powers and imposing certain duties upon the courts with reference thereto" are hereby amnded to read as follows

Sction 1 Be it enacted &c That

Validity of Arbitration Agreements A provision in any written contract [except a contract for personal services] to settle by arbitration a controversy thereafter arising out of such contract or out of the refusal to perform the whole or any part thereof or an agreement in writing between two or more persons to submit to arbitration any controversy existing between them at the time of the agreement to submit shall be valid irrevocable and enforceable save upon such grounds as exist at law or in equity for the revocation of any contract

A provision in a written collective bargaining contract between a labor organization as defined in subsection (f) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) known as the "Pennsylvania Labor Relations Act" and an employer or employers as defined in subsection (c) of section three of the said Pennsylvania Labor Relations Act or an association or group of employers as thus defined to settle by arbitration a controversy or controversies thereafter arising between the parties to the contract or any agreement between such parties to settle by arbitration a controversy or controversies then existing or thereafter arising including but not restricted to controversies dealing with rates of pay wages hours or other conditions of employment of any employe or employes of such employer or employers or association or group of employers shall likewise be valid enforceable and irrevocable save upon such grounds as exist at law or in equity for the revocation of any contract Provided That no rule of law or equity shall be available to any party to bar an order enforcing an arbitration award reinstating a discharged employe or in the nature of a mandatory decree in any other manner

Section 11 Motion to Modify or Correct Award Grounds [In either of the following cases the court shall] The court may in the following cases only make an order modifying or correcting the award or resubmitting the matter to the arbitrators upon the application of any party to the arbitration

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person thing or property referred to in the award

(b) Where the arbitrators have awarded upon a matter not submitted to them unless it is a matter not affecting the merits of the decision upon the matters submitted

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy

(d) Where the parties have not agreed that the award shall be final and binding and the award is against the law and is such that had it been a verdict of the jury the court would have entered difference or other judgment notwithstanding the verdict

[The court may modify and correct the award or resubmit the matter to the arbitrators]

Section 14 Record Filing Judgment Effect and Enforcement Any party to a proceeding for an order confirming modifying or correcting an award shall at the time such order is filed with the prothonotary for the entry of judgment thereon also file the following papers with the prothonotary

(a) The agreement the selection or appointment if any of an additional arbitrator or umpire and each written extension of the time if any within which to make the award

(b) The testimony if taken stenographically

(c) The award

(d) Each notice affidavit or other paper used upon an application to confirm modify or correct the award and a copy of each order of the court upon such an application

The arbitration shall be docketed in the prothonotary's

office as if it were an action at law or in equity in the prothonotary's office with the moving as plantiff and the other parties as defendant or defendants

The judgment so entered shall have the same force and effect in all respects as and be subject to all the provisions of law relating to a judgment in an action at law decree in equity or judgment decree or order in any form of action now or hereafter provided for by any law and it may be enforced as such in accordance with existing law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Eider,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker.

NAYS—0

NOT VOTING—2

Hersch,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1070, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by correcting an error in the salary of the coroner

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the fourth class shall be as follows

The district attorney six thousand six hundred dollars ($6600)

First assistant district attorney three thousand eight hundred fifty dollars ($3850)

Three assistant district attorneys each three thousand three hundred dollars ($3300)

The sheriff six thousand six hundred dollars ($6600)

The prothonotary six thousand six hundred dollars ($6600)

The clerk of courts four thousand four hundred dollars ($4400)

The register of wills and ex-officio clerk of the orphans' court four thousand four hundred dollars ($4400)

The recorder of deeds four thousand four hundred dollars ($4400)

The county treasurer five thousand five hundred dollars ($5500)

The county commissioners five thousand five hundred dollars ($5500)

The county auditors where there is a controller each one hundred ten dollars ($110)

The coroner [two thousand two hundred dollars ($2200)] three thousand dollars ($3000)

The jury commissioners five hundred fifty dollars ($550) each

The county controller where such office exists or may be created five thousand five hundred dollars ($5500)

The chief county detective three thousand three hundred dollars ($3300)

The assistant chief county detective two thousand seven hundred fifty dollars ($2750)

The two special county detectives each two thousand two hundred dollars ($2200)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,

Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1093, as follows:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following section of a road over State-owned lands shall be adopted by the Commonwealth as a State Highway to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways

Beginning at a point on Route 12001 about .6 of a mile north of the Clearfield-Cameron County line thence southerly and northeasterly in Gibson and Grove Townships to a point on Route 12001 about .46 of a mile south of Route 105 in Cameron County a distance of about 8.5 miles

Section 2 The highway established as State highway under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1107, Printer's No. 471

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1153, as follows:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. five hundred eighty-nine) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Com-

monwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes as indicated and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 345) and as further amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 786) are hereby deleted as indicated or amended to read as follows

Section 2 The city streets to be taken over under the provisions of this act in the cities hereinafter named shall be designated by numbers to be hereafter assigned by the Secretary of Highways and are situate and described as follows

In the City of Philadelphia

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Baltimore Avenue thence over Baltimore Avenue to an intersection with Forty-second Street thence northerly over Forty-second Street to an] the intersection of Thirty-ninth Street with Spring Garden Street thence easterly over Spring Garden Street to an intersection with Thirty-first Street thence northerly over Thirty-first Street to an intersection with Haverford Avenue thence westerly over Haverford Avenue to an intersection with [Forty-second Street] Lancaster Avenue [thence southerly over Forty-second Street to the intersection of Forty-second Street and Spring Garden Street] beginning again at the intersection of Thirty-first Street and Spring Garden Street thence easterly over Spring Garden Street to an intersection with the Parkway thence southeasterly over the Parkway to City Hall beginning again at the intersection of [the Parkway] Ridge Avenue and Race Street thence easterly over Race Street to the Delaware River Bridge approach beginning again at the intersection of the Delaware River Bridge approach and Vine Street thence westerly over Vine Street to an intersection with the [Parkway] proposed route along the west bank of the Schuylkill River a distance of about [8.25] 4.99 miles

Beginning at [a point on the Philadelphia City-Milbourne Borough line thence over Market Street to an intersection with Cobb's Creek Parkway thence southerly over Cobb's Creek Parkway to an] the intersection of Sixth Street with Chestnut Street thence easterly over Chestnut Street to an intersection with Fifth Street thence northerly over Fifth Street to an intersection with Spring Garden Street beginning again at the intersection of Spring Garden Street and Sixth Street thence southerly over Sixth Street to an intersection with [Walnut Street thence westerly over Walnut Street to an intersection with Cobb's Creek Parkway thence northerly over Cobb's Creek Parkway to an intersection with] Chestnut Street [beginning again at the intersection of Cobb's Creek Parkway and Walnut Street thence southerly over Cobb's Creek Parkway to an intersection with Sixty-first Street thence southerly over Sixty-first Street to an intersection with Baltimore Avenue] a distance of about [14.00] 1.78 miles

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Sixty-fifth Street thence easterly over Sixty-fifth Street Chester Avenue and Sixty-fifth Street to an intersection with Kingsessing Avenue thence northeasterly over Kingsessing Avenue to an intersection with Fifty-second Street thence northwesterly over Fifty-second Street to an intersection with Chester Avenue thence northeasterly over Chester Avenue to an intersection of Chester Avenue and Forty-second Street thence northerly over Forty-second Street to an intersection with Baltimore Avenue thence northeasterly over Baltimore Avenue to an] the intersection of Thirty-ninth Street with Woodland Avenue thence northeasterly over Woodland Avenue to an intersection with Chestnut Street near Thirty-third Street a distance of about [4.00] 0.65 miles

Beginning at a point on the Philadelphia City-Bucks County line on Roosevelt Boulevard thence over the Roosevelt Boulevard to an intersection with Hunting Park Avenue [thence over Hunting Park Avenue to an intersection with Allegheny Avenue thence westerly over Allgheny Avenue to an intersection with Ridge Avenue] thence over the Roosevelt Boulevard extended in a southwesterly direction to an intersection with the proposed route along the west bank of the Schuylkill River beginning again at the intersection of Allegheny Avenue with Ridge Avenue thence over Ridge Avenue and Park Drive to an intersection with City Avenue thence southwesterly over City Avenue to the Philadelphia City-Delaware County line at Cobb's Creek a distance of about [20.00] 23.51 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Lancaster Avenue thence southeasterly over Lancaster Avenue to an intersection with Spring Garden Street near Thirty-ninth Street a distance of about 3.50 miles

Beginning at the intersection of Thirty-ninth Street and Lancaster Avenue thence southerly on Thirty-ninth Street Filbert Street and Thirty-ninth Street to the intersection of Thirty-ninth Street and Baltimore Avenue thence southeasterly on University Avenue to an intersection with Thirty-fourth Street thence southerly over Thirty-fourth Street to an intersection with Vare Avenue thence southeasterly over Vare Avenue to an intersection with Oregon Avenue thence easterly over Oregon Avenue to an intersection with South Broad Street beginning again at the intersection of Thirty-ninth and Filbert Streets thence northerly over Filbert Street Saunders Avenue and Lancaster Avenue to the intersection of Thirty-ninth Street and Lancaster Avenue a distance of about 4.65 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Old York Road thence southerly over Old York Road to an intersection with North Broad Street thence southerly over North Broad Street to [City Hall thence by West Penn Square to the intersection of South Broad Street and South Penn Square] an intersection with Stenton Avenue a distance of about [8.00] 1.05 miles

Beginning at the intersection of Germantown Avenue and Mt Pleasant Avenue thence southwesterly over Mt Pleasant Avenue to an intersection with Lincoln Drive a distance of about 0.83 miles

Beginning at [a point on the Philadelphia City-Montgomery County line on Ogontz Avenue thence southerly on Ogontz Avenue to] an intersection of Ogontz Avenue with Stenton Avenue thence southeasterly on Stenton Avenue to the intersection of Stenton Avenue and North Broad Street a distance of about [2.20] 0.48 miles

[Beginning at a point on the Philadelphia City-Bucks County line on Bustleton Avenue thence southerly on Bustleton Avenue to an intersection with Welsh Road thence over Welsh Road to the intersection of Welsh Road and Roosevelt Boulevard a distance of about 4.50 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Philmont Avenue thence notheasterly over Philmont Avenue to its intersection with Bustleton Avenue a distance of about 0.70 of a mile]

Beginning at a point on the Philadelphia City-Bucks County line on Frankford Avenue thence southwesterly on Frankford Avenue to an intersection with Levick Street thence northwesterly on Levick Street to the intersection of Levick Street and the Roosevelt Boulvard a distance of about 6.00 miles

Beginning at [a point on the Philadelphia City-Montgomery County line on Cottman Avenue thence southeasterly over Cottman Avenue to an intersection with Frankford Avenue beginning again at] the intersection of Frankford Avenue and Levick Street thence southeasterly over Levick Street to the approach to the Tacony-Palmyra Bridge a distance of about [4.50] 0.90 miles

Beginning at [a point on the Philadelphia City-Delaware County line on Eighty-fourth Street thence southeasterly over Eighty-fourth Street to an intersection with Tinicum Avenue thence northeasterly over Tinicum Avenue to an intersection with South 80th Street thence southeasterly over South 80th Street to] an intersection of South 80th Street with Penrose Ferry Road thence northeasterly on Penrose Avenue to an intersection with Moyamensing Avenue thence over Moyamensing Avenue to an intersection with South Broad Street [thence northerly on South Broad Street to City Hall thence by way of East Penn Square to the intersection of North Penn Square and North Broad Street] a distance of about [7.09] 3.50 miles

Beginning at [a point on the Philadelphia City-Montgomery County line on Germantown Avenue] the intersection of Bethlehem Pike with Germantown Avenue thence southeasterly over Germantown Avenue to an intersection with Mt Pleasant Avenue beginning again at the intersection of Rising Sun Avenue and Adams Avenue thence over Adams Avenue to an intersection with the Roosevelt Boulevard a distance of about [4.26] 2.46 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Bethlehem Pike thence southeasterly on the Bethlehem Pike to an intersection with the Germantown Avenue beginning again at an intersection of Germantown Avenue and Allen's Lane thence southerly over Allen's Lane to an intersection with Lincoln Drive thence southerly on Lincoln Drive to an intersection with Cliveden Street thence southerly on Cliveden Street to an intersection with Park Line thence over Park Line to an intersection with Walnut Lane thence over Walnut Lane to an intersection with Ridge Avenue thence southerly on Ridge Avenue to the intersection of Park Drive and Ridge Avenue beginning again at the intersection of Allegheny Avenue and Ridge Avenue thence southerly on Ridge Avenue to an intersection with Twenty-ninth Street thence southerly on Twenty-ninth Street to an intersection with Girard Avenue thence easterly on Girard Avenue to an intersection with West College Avenue thence southerly on West College Avenue to an intersection with Twenty-fifth Street thence southerly on Twenty-fifth Street to an intersection with Pennsylvania Avenue thence southeasterly on Pennsylvania Avenue to an intersection with Spring Garden Street thence over Spring Garden Street to the intersection of Spring Garden Street and Delaware Avenue beginning again at the intersection of Pennsylvania Avenue and Twenty-fifth Street thence northwesterly on Pennsylvania Avenue to the intersection of Twenty-sixth Street thence northerly over Twenty-sixth Street to the interection of Twenty-sixth Street and Girard Avenue [beginning again at the intersection of Girard Avenue and Twenty-ninth Street thence westerly on Girard Avenue to an intersection with a park drive near Thirty-first Street beginning again at the intersection of Spring Garden Street and Pennsylvania Avenue thence westerly over Spring Garden Street to an intersection with a park drive] a distance of about [11.00] 10.95 miles

[Beginning at a point on the Philadelphia City-Rockledge Borough line on Oxford Avenue thence southerly on Oxford Avenue to an intersection with Rising Sun Avenue thence southwesterly on Rising Sun Avenue to the intersection of Rising Sun Avenue and Roosevelt Boulevard a distance of about 3.40 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Haverford Avenue thence southeasterly on Haverford Avenue to an intersection with Forty-second Street a distance of about 4.25 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Lansdowne Avenue thence northerly over Lansdowne Avenue to an intersection with Haverford Avenue beginning again at an intersection of Haverford Avenue and Girard Avenue thence easterly over Girard Avenue to an intersection with a park drive near Thirty-first Street thence southerly over the park drive to an intersection with the Parkway at Spring Garden Street a distance of about 4.80 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Seventy-first Street thence notherly over Seventy-first Street to an intersection with Lansdowne Avenue a distance of about 0.50 of a mile]

[Beginning at a point on the Philadelphia City-Montgomery County line on East Washington Lane thence southwesterly over East Washington Lane to an intersection with Ogontz Avenue beginning again at the intersection of Washington Lane and Stenton Avenue thence southeasterly on Washington Lane to an intersection with Wayne Avenue thence northwesterly on Wayne Avenue to the intersection of Wayne Avenue and Lincoln Drive a distance of about 2.42 miles]

[Beginning at the Philadelphia City-Darby Borough line on Woodland Avenue thence northeasterly on Woodland Avenue to an intersection at Island Road thence southeasterly on Island Road to an intersection with Passyunk Avenue thence northeasterly on Passyunk Avenue to an intersection with South Broad Street a distance of about 4.57 miles]

[Beginning at a point on the boundary line between Delaware County and Philadelphia City on Marshall Road and extending in an easterly direction on Marshall Road to an intersection with Cobb's Creek Parkway a distance of 0.10 miles]

Beginning at a point at the intersection of Roosevelt Boulevard and Aramingo Avenue thence southeasterly and southwesterly on Aramingo Avenue to Norris Street thence southeasterly on Norris Street to Dyott Street thence southeasterly on Dyott Street to Delaware Avenue thence southwesterly on Delaware Avenue to Swanson Street thence southwesterly on Swanson Street to Oregon Avenue thence southwesterly on Oregon Avenue to an intersection with Moyamensing Avenue a distance of 12.1 miles

Beginning at a point at the intersection of Tacony Street and Aramingo Avenue thence northeasterly along Tacony

Street and State Road to an intersection with Levick Street a distance of about 1.3 miles

Beginning at a point on the Philadelphia City-Montgomery County line at the intersection with Bethlehem Pike thence easterly on Stenton Avenue to an intersection with Stenton Avenue and Ogontz Avenue Beginning again at the intersection of North Broad Street and Godfrey Avenue thence in an easterly direction on Godfrey Avenue to an intersection of Godfrey Avenue and Adams Avenue thence over Adams Avenue to an intersection with Rising Sun Avenue a distance of 6.0 miles

[Beginning at an intersection of Allegheny Avenue and Hunting Park Avenue thence in a southwesterly direction on Hunting Park Avenue to an intersection with East River Drive a distance of about .8 miles]

Beginning at an intersection of Ridge Avenue and Vine Street thence in a southeasterly direction on Ridge Avenue to an intersection of Ridge Avenue with Race Street a distance of about 0.15 mile

Beginning at a point at the intersection of Island Road and [Passyunk Avenue] Essington Avenue thence on Island Road in a southeasterly direction to an intersection with Penrose Avenue thence northeasterly over Penrose Avenue to an intersection with Eightieth Street a distance of about [2.30] 0.37 miles

Beginning at a point on the Philadelphia City-Delaware County line on Essington Avenue thence northeasterly [and northerly] on Essington Avenue to an intersection with [Passyunk Avenue] Island Road a distance of [3.1] 1.22 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Ridge Avenue thence southeasterly on Ridge Avenue to an intersection with Ridge Avenue and Henry Avenue and thence southeasterly on Henry Avenue to an intersection with Walnut Lane a distance of about 3.75 miles

Beginning at the intersection of Grant and Frankford Avenues thence northwesterly over Grant Avenue to the intersection of Grant Avenue and [Bustleton Avenues] the Roosevelt Boulevard a distance of about [three] 2.48 miles

Beginning on the Philadelphia City-Montgomery County line at an intersection with City Avenue near the Schuylkill River thence in a southerly direction along the west bank of the Schuylkill River to an intersection with University Avenue near the University Bridge over the Schuylkill River a distance of about 6.40 miles

Provided however that no part or portion of any street hereinbefore described shall be taken over as a State highway under the provisions of this act until after such part or portion shall have been legally opened by the city authorities in the same manner as other streets are now opened which form a part of the same route as herein described or an agreement shall have been entered into between the Commonwealth and city for such opening

Section 2 This act shall become effective on the first day of January one thousand nine hundred and fifty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 5, Printer's No. 276,

Senate Bill No. 245, Printer's No. 338 and

Senate Bill No. 246, Printer's No. 339

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State Institution providing for a board of trusees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby directed to be established and erected at a site within the limits of the City of Philadelphia to be designated by the Department of Welfare with the approval of the Governor the Eastern Pennsylvania Psychiatric Institute for study and research into the causes treatment prevention and cure of the various types of nervous disorders and mental diseases This institute shall also provide training and teaching both at

the undergraduate and at the graduate level of students who upon graduation will enter the practice of general medicine with a technical background of training in mental illness as well as for the purpose of taking up the great gap between the number of qualified psychiatrists and the number who are needed as a result of the constantly mounting number of persons needing attention for mental disorders

A further purpose of the institute shall be to provide regular courses of study for State Hospital personnel in order that they may be a more highly trained and efficient staff and personnel in the various mental institutions throughout the Commonwealth

A further purpose shall be to deal with the mental hygiene of the normal child in the way of study and training in order that there may be a program of prevention of mental and nervous disorders as a result of giving children the proper background and training that will prevent such disorders

For a further purpose the institute shall focus its expert activities on problems of administration so that studies may be made to deal effectively humanely and economically with the care of mental illness throughout the Commonwealth

Section 2 The Department of Property and Supplies shall proceed with surveys plans and estimates for an available site selected by the Department of Welfare and approved by the Governor for the construction and equipment of such institution thereon and for the improvement of the grounds connected therewith in the manner provided by The Administrative Code of one thousand nine hundred twenty-nine as amended and shall proceed as soon as said site is selected and the plans for such institution are approved with the erection construction and equipping of the same

Section 3 To effectuate the aforesaid purposes the plans for such institution shall be of sufficient size for a minimum of three hundred beds fifty of which shall be so set apart so as to permit their use for the study of children suffering from mental illnesses such plans also provide for adequate out-patient service and for laboratories study research and assembly rooms

Section 4 The institution hereby established shall be a State institution and the board of trustees thereof hereinafter provided for shall be a departmental administrative board within the Department of Welfare and shall have all the powers and duties conferred and imposed upon boards of trustees of State institutions within such department as provided by The Administrative Code of one thousand nine hundred twenty-nine as amended except as otherwise provided in this act

Section 5 The Eastern Pennsylvania Psychiatric Institute hereby established shall be under the management of a board of trustees which board shall consist of fifteen members to be appointed by the Governor In appointing such board the Governor shall select three representatives from each of the following medical schools Jefferson Medical College the School of Medicine of Temple University the School of Medicine of the University of Pennsylvania Hahnemann Medical College and Woman's Medical College one member from each school to serve for five (5) year terms one from each school for three (3) year terms and one from each school for two (2) year terms The Governor and the Secretary of Welfare shall be ex officio members of the board

Section 6 The board of trustees shall select and appoint a director of such institution which director shall be a physician of qualifications and experience in the care and treatment of mental diseases and mental defectives

Section 7 In addition to the board of trustees hereinbefore provided for such institution shall have a medical advisory board the duty of which shall be to concur with the board of trustees in the appointment of the professional staff of such institution and in the professional aspects of the treatment and cure of persons admitted to the same for treatment of using the services of the out-patient department The medical advisory board shall be composed of the medical doctors from time to time holding the postiion of the head of the psychiatry department of the aforementioned medical schools in the City of Philadelphia

Section 8 The Governor shall as soon as possible after the effective date of this act appoint the board of trustees of such institution and the medical advisory board thereof which boards shall be consulted by the Department of Welfare and the Department of Property and Supplies relative to the selection of a site for such institution and the preparation and drafting of the plans for the construction of the same

Section 9 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bowser,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Ewing,	Kolankiewicz,	Propert,	Wood,
Felton,	Kondrath,	Readinger,	Worley,
Ferster,	Kratz,	Reagan,	Yaffe,
Filo,	Kurtz,	Reese,	Yeakel,
Firmstone,	Lederer,	Reidenbach,	Yester,
Flack,	Lee,	Reilly, J. M.,	Yetzer,
Fleming,	Leisey,	Reynolds,	Young,
Floyd,	Leonard,	Riley, R. L.,	Ziegler,
Fox,	Limper,	Robbins,	Sorg,
Frank,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Hersch, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection
Senate Bill No. 459, Printer's No. 208
Senate Bill No. 543, Printer's No. 185
Senate Bill No. 561, Printer's No. 156 and
Senate Bill No. 654, Printer's No. 166
were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEE

Mr. KOHL from the Committee on State Government, reported as amended, House Bill No. 260, entitled:

An Act establishing a retirement system for Game Protectors of the Pennsylvania Game Commission; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the administration of the State Employes' Retirement Board; providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities; allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Mr. MADIGAN from the Committee on State Government, reported as amended, House Bill No. 1166, entitled:

An Act establishing a retirement system for fish wardens employed by the Board of Fish Commissioners; providing for payments, upon retirement, death disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board; providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits and rights from taxation and judicial processes; and providing penalties.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like the membership of the House to know that it is contemplated that we will hold a three day session next week. There is a possibility of circumstances of which we are not aware at the present time, that might make it necessary that an additional day be added, and that we will meet on Thursday, but at the present time it is indicated that a three day session next week will be sufficient.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 54.

An Act to further amend sections four hundred twenty-two four hundred twenty-three and four hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

Referred to the Committee on Military Affairs.

SENATE BILL No. 56.

An Act to further amend sections two and three and to amend section four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers head-stones and flags and for the compilation of war records" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

Referred to the Committee on Military Affairs.

SENATE BILL No. 327.

An Act to amend clause four of subsection B of section fourteen and subsection A of section seventeen of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof and by further regulating insurance in connection with such sales

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 389.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

Referred to the Committee on Education.

SENATE BILL No. 415.

An Act making an appropriation to Washington and Jefferson College for conservation education and requiring certain reports in connection therewith.

Referred to the Committee on Appropriations.

SENATE BILL No. 628.

An Act to amend section three hundred twenty-six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing the issuance, authorized but unissued stock to officers and employes of company or subsidiary, upon approval of majority of stockholders

Referred to the Committee on Insurance.

SENATE BILL No. 640.

An Act to repeal section five hundred thirty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," relating to the right of certain mutual fire insurance companies to become stock companies.

Referred to the Committee on Insurance.

SENATE BILL No. 642.

An Act to amend section eight hundred seven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance: amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating reserves with respect to domestic mutual fire insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 669.

An Act conferring additional powers on the Joint State Government Commission and its committees and authorizing the commission to supervise and regulate the exercise of legislative powers by administrative agencies of the Commonwealth

Referred to the Committee on State Government.

SENATE BILL No. 702.

An Act providing for powers, responsibilities, duties and limitation of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

Referred to the Committee on Military Affairs.

BILLS INTRODUCED AND REFERRED

By Mr. WOOD. HOUSE BILL No. 1324.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. WOOD. HOUSE BILL No. 1325.

An Act to provide for the ordinary expenses of the executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine.

Referred to the Committee on Appropriations.

By Mr. WOOD. HOUSE BILL No. 1326.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. ROSE asked and obtained unanimous consent to add an additional sponsor to a resolution to be introduced by him.

RESOLUTION

CONGRATULATIONS

Messrs. ROSE and TAYLOR offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 7, 1949.

Leon J. Kolankiewicz is a proud man today. It is an early birthday in his life, yet marks a point of great progress in a successful career.

A successful husband and father, he has four children, two of whom were of outstanding service to their country in the last World War as was their father in the first World War.

Leon Jr. age 24, a four letter man at Tufts College, Boston, Mass. was a Lieutenant in the Army Engineers, spending three and one-half years in the South Pacific.

Thaddeus, age 22, now at Drexel Institute spent four and one-half years in the service as a Lieutenant, a pilot in the Marine Corps.

Robert 19, a football and basketball star, is in Tufts College and a cadet in N.R.O.T.C.

Lawrence 17, is in high school and distinguishing himself scholastically and in basketball and baseball.

A Doctor of Optometry, he practices his profession in Philadelphia, enjoying a fine reputation in his field.

His community thought enough of him to place in him the great trust and confidence that his position here merits; therefore be it

Resolved. That the House of Representatives congratulate Leon J. Kolankiewicz on his birthday, and assure him that because he is here, but not as an Optometrist, the House can see, more clearly, its responsibility, and be it further

Resolved, That a copy of this resolution be sent to the Honorable Dr. Leon J. Kolankiewicz.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kolankiewicz.

Mr. KOLANKIEWICZ. Mr. Speaker, I want to know whether I am going to be recognized on the slip that I have in my hand or on the resolution.

The SPEAKER. The gentleman from Philadelphia is recognized on the congratulatory resolution.

Mr. KOLANKIEWICZ. I thank you, Mr. Speaker. Ladies and gentlemen of the House, I do want to extend my thanks to the sponsors of this resolution; at the same time I want to extend my hearty thanks to the Members of this House for their greetings of the day. Thank you.

ADJOURNMENT

Mr. KOLANKIEWICZ. Mr. Speaker, I move that this House do now adjourn until Monday, April 11, 1949, at 4:30 p. m.

The motion was agreed to, and (at 12:48 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., MONDAY, APRIL 11, 1949. No. 43.

SENATE

MONDAY, April 11, 1949

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. Father ROY C. KEFFER offered the following prayer:

Oh God, before Whom all hearts are open, from Whom no secret is hidden, purify by the outpouring of Thy Holy Spirit, the deliberations of this Assembly.

Let them see Thy good and gracious purpose working in all of the tasks which confront them, so that they might nearly conform to Thy divine will, through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. RUTH, further reading was dispensed with, and the Journal was approved.

RESOLUTION

Mr. WADE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, on April 1, 1949, Reverend Father Roy C. Keffer was appointed Senate Chaplain. On April 5, 1949, Father Keffer suffered perhaps the most severe loss that a man can suffer, in the loss of his mother.

I, therefore, Mr. President, offer the following resolution, and move its immediate adoption.

MEMBERS OF THE SENATE EXTEND THEIR SYMPATHY TO FATHER ROY KEFFER AND HIS FAMILY

Mr. WADE offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 11, 1949.

Last Friday morning our chaplain, Father Roy C. Keffer, performed the most difficult task that ever becomes duty of a priest. He said the Mass at his mother's funeral.

Mrs. Charles Frederick Keffer died on April 5. Her stay in life had been fruitful and good. She leaves behind her seven of her thirteen children and her twenty-one grandchildren.

Her husband and her children will find life a bit more difficult now, that they cannot depend upon her wise counsel and complete understanding. They can be reassured though that while they have lost their wife and mother, they have gained a personal angel to pray to; therefore be it

Resolved, That the members of the Senate extend their individual sympathy to Charles Frederick Keffer, Father Roy Keffer, and his brothers and sisters; and be it further

Resolved, That copies of this resolution be sent to Charles Frederick Keffer and Father Roy Keffer.

The PRESIDENT. We extend our heartfelt sympathy to Reverend Father Keffer.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 209, PRINTER'S No. 221

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 209, Printer's No. 221, entitled "An Act to provide for and regulate the accumulation investment and expenditure of funds by cities boroughs incorporated towns and townships preparing plans for sewage disposal systems and for the construction improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 69, PRINTER'S No. 220

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 69, Printer's No. 220, entitled "An Act to amend Article IV Sections four hundred eight four hundred nine four hundred ten four hundred eleven four hundred twelve and four hundred nineteen of the act approved the third day June one

thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' to correct an error in the provisions concerning the size of mesh to be used by propagating permittees changing the method of tagging propagated game or eggs providing penalties for failure to maintain proper records of propagation transactions and submission of annual reports of special permittees and adding bobwhite quail to list of birds authorized to be killed on Regulated Shooting Grounds."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 265, PRINTER'S No. 141

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 265, Printer's No. 141, entitled "An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by requiring the retirement board to submit statements to contributors at four year intervals."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 325, PRINTER'S No. 83

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 325, Printer's No. 83, entitled "An Act to further amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by providing for free hunting licenses to certain disabled war veterans."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 251, PRINTER'S No. 65

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 251, Printer's No. 65, entitled "An Act to amend section one of the act approved the tenth day of July 1919 (P. L. 887) entitled 'An Act dividing the counties of this Commonwealth into eight classes designating the mode of ascertaining and changing the classification of counties and providing for the regulation of their affairs according to their respective classes' by reclassifying counties of the first class."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 250, PRINTER'S No. 64

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 250, Printer's No. 64, entitled "An Act to amend section thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by reclassifying counties of the first and second classes."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 217, PRINTER'S No. 63

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 217, Printer's No. 63, entitled "An Act to further amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended 'An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs town and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes' by further defining municipal police force."

JAMES H. DUFF,

APPROVED AND SIGNED SENATE BILL No. 162, PRINTER'S No. 101

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 162, Printer's No. 101, entitled "An Act to amend section one of the act approved the twenty-second day of March one thousand nine hundred seven (P. L. 31) entitled 'An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases' by increasing the allowance of expenses and compensation to counsel."

JAMES H. DUFF,

APPROVED AND SIGNED SENATE BILL No. 156, PRINTER'S No. 39

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 156, Printer's No. 39, entitled "An Act to repeal the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 112) entitled 'An Act to prohibit the use of any adulteration or imitation of dairy products in any charitable or penal institution being supplemntary to an act entitled "An act for the protection of the public

health and to prevent adulteration of dairy products and fraud in the sale thereof" approved May twenty-one Anno Domini one thousand eight hundred and eighty-five.'"

JAMES H. DUFF.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 181, PRINTER'S No. 29

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 181, Printer's No. 29, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE ON EXECUTIVE NOMINATIONS

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN, SEVENTH WARD, CITY OF READING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Franklin J. Moyer, 918 Union Street, Reading, Berks County, for appointment as Alderman in and for the Seventeenth Ward of the City of Reading, Berks County, until the first Monday of January, 1950, vice Ralph L. Moyer, resigned.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. LORD, JR. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 11, 1949.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Mrs. Elizabeth W. Holmes, Pittsburgh, 506 S. Main St. (20)
Mrs. Ruth M. Jamison, Ingram
William J. Schaffner, McKeesport.
Mrs. E. Dell Stevenson, Pittsburgh, 1107 Keystone Bldg.

DELAWARE COUNTY

William N. Lawson Jr., Upper Darby Twp., Upper Darby.

ELK COUNTY

L. J. Weidenboerner, St. Marys.

ERIE COUNTY

Miss Marie C. Dobmeier, Erie.
Stanley F. Golownik, Erie.

LAWRENCE COUNTY

Sol Weiner, New Castle.

LEHIGH COUNTY

Mrs. Johanna Yonsetto, Allentown.

LUZERNE COUNTY

Miss Selma Rose Jacobson, Wilkes-Barre.
Spencer C. Masters, Forty-Fort.

MONROE COUNTY

Francis J. McHugh, Tunkhannock Twp. Long Pond.

PHILADELPHIA COUNTY

Harry Bortman, 1st Floor, 126 S. 22d St.
William A. Dungan, 2915 Fitler St.
Joseph B. Miller, Jr., 226 Walnut St.
Mario J. Torreti, 119 W. Chelten Ave.

To compute from dates set opposite their names

JEFFERSON COUNTY

S. H. Smyers, Sykesville, April 18, 1949.

NORTHAMPTON COUNTY

Mrs. Cora A. Roth, Bethlehem, April 23, 1949.

MERCER COUNTY

Donovan H. Henry, Greenville, April 25, 1949.

BERKS COUNTY

Miss Carmen T. Zocco, Reading, April 26, 1949.

PHILADELPHIA COUNTY

Frank M. Dowler, 2715 S. 16th St. (45), April 28, 1949.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

DAUPHIN COUNTY

Mrs. Gladys M. Spitler, Harrisburg.

LACKAWANNA COUNTY

Martin F. O'Malley, Scranton.

MERCER COUNTY

Herman M. Rodgers, Grove City.

MONTGOMERY COUNTY

Herbert C. Nelson, Lower Merion Twp., Ardmore.

PHILADELPHIA COUNTY

Robert Gold, Phila., Suite 901, Jefferson Bldg.
William S. Manley, Phila., 5228 Chestnut St.

WESTMORELAND COUNTY

Miss Elvina S. Rocckietta, New Kensington.

To compute from dates set opposite their names

ALLEGHENY COUNTY

Geo. D. Campbell, Bellevue, April 21, 1949.

PHILADELPHIA COUNTY

Mrs. Ursula J. Coleman, 6635 McCallum St., April 21, 1949.
Thomas E. Peacock, 6134 Argyle St., April 21, 1949.
Miss Florence H. Shotwell, 250 S. Van Pelt St. (3), April 21, 1949.

ALLEGHENY COUNTY

Floyd Bixler, Pittsburgh, 504 Bessemer Bldg. (22), April 22, 1949.

ERIE COUNTY

Mrs. Rita M. Katen, Erie, April 22, 1949.

WARREN COUNTY

Joseph H. Goldstein, Warren, April 22, 1949.

ALLEGHENY COUNTY

Miss Florence E. Land, Pittsburgh, 312-4th Ave., April 23, 1949.

BERKS COUNTY

Paul N. Loose, Reading, April 23, 1949.
Chester A. Mohn, Shillington, April 23, 1949.

GREENE COUNTY

George R. Kramer, Greensboro, April 23, 1949.

PHILADELPHIA COUNTY

George E. Hess, 2331 E. Boston Ave., April 23, 1949.
Archie B. Love, 1608-20 Ludlow St. (3), April 23, 1949.
H. Russell Stewart, 6316 Germantown Ave., April 23, 1949.
John W. Summers, 213 City Hall, April 23, 1949.
Horace Zehner, 508 Barker Bldg., April 23, 1949.

ERIE COUNTY

Frank B. Quinn, Erie, April 24, 1949.

PHILADELPHIA COUNTY

Niels W. Eich, 4640 Roosevelt Blvd., April 24, 1949.

POTTER COUNTY

Mrs. Beryl E. Burrous, Genesee Twp., Genesee, April 4, 1949.

ALLEGHENY COUNTY

Miss Helen M. Seel, Pittsburgh, 804 Frick Bldg. (19), April 25, 1949.

BEAVER COUNTY

Miss Almira M. Parks, Beaver Falls, April 25, 1949.

BERKS COUNTY

Mrs. Edith B. Geddes, Reading, April 25, 1949.

CAMBRIA COUNTY

Miss Alma Jean Edwards, Ebensburg, April 24, 1949.

COLUMBIA COUNTY

B. Reber Krum, Montour Twp., Bloomsburg, April 25, 1949.

DAUPHIN COUNTY

John H. Alricks, Harrisburg, April 25, 1949.

LYCOMING COUNTY

Russell C. Heim, Williamsport, April 25, 1949.

MONTGOMERY COUNTY

Mrs. Mazie F. Megay, Norristown, April 25, 1949.

PHILADELPHIA COUNTY

Julius McLaughlin Jr., 5424 Vine St. (39), April 25, 1949.

WESTMORELAND COUNTY

Miss Otillie Walthour, Greensburg, April 25, 1949.

BERKS COUNTY

Mrs. Olga Hollis High, Reading, April 26, 1949.

CARBON COUNTY

Frank Lench, Banks Twp., Tresckow, April 26, 1949.

DELAWARE COUNTY

Elton Dunbar, Media, April 26, 1949.

FAYETTE COUNTY

Joseph C. McGill, Dawson, April 26, 1949.

LUZERNE COUNTY

S. N. Feidelman, West Hazleton, April 26, 1949.

ALLEGHENY COUNTY

George J. Mayer, Pittsburgh, 1000 N. Lincoln Ave., N. S., April 27, 1949.
John G. Rainey, Pittsburgh, 101 Court House (19), April 27, 1949.
William A. Schock, Pittsburgh, 1801 Forbes St. (19), April 27, 1949.

BUCKS COUNTY

Miss Annie Heller, Riegelsville, April 27, 1949.

ERIE COUNTY

Fred S. McDonald, Erie, April 27, 1949.

FAYETTE COUNTY

Miss Bertha L. Darby, Uniontown, April 27, 1949.

INDIANA COUNTY

Miss Martha Daugherty, Indiana, April 27, 1949.

LANCASTER COUNTY

Walter A. Buckius, Lancaster, April 27, 1949.

McKEAN COUNTY

Mrs. Marie Fessenden, Kane, April 27, 1949.
Henry N. Harvender, Bradford, April 27, 1949.
F. M. Nash, Bradford, April 27, 1949.
Byron Wolfe, Bradford, April 27, 1949.

MONTGOMERY COUNTY

Miss Elizabeth R. Fox, Norristown, April 27, 1949.

PHILADELPHIA COUNTY

P. Di Benedetto, 6441 Haverford Ave., April 27, 1949.
Alexander O. Dunlap, 5554 Market St., April 27, 1949.
Miss Beatrice Ennis, 401 Financce Bldg. (2), April 27, 1949.
Michael L. O'Neill, 1429 S. 55th St. (43), April 27, 1949.
Mrs. L. M. Scheetz, 5036 Chestnut St., April 27, 1949.
Charles H. Young, 1215 W. Glenwood Ave., April 27, 1949.

WASHINGTON COUNTY

Charles F. Polacci, Charleroi, April 27, 1949.

WESTMORELAND COUNTY

L. Russell Grove, New Kensington, April 27, 1949.
Miss M. P. Poole, Greensburg, April 27, 1949.

YORK COUNTY

A. A. Zeigler, Goldsboro, April 27, 1949.

ALLEGHENY COUNTY

Dan S. Earnest, Pittsburgh, 545 Wm. Penn Place (19), April 28, 1949.
Miss Agnes Schrey, Pittsburgh, 1306 Berger Bldg. (19), April 28, 1949.

JEFFERSON COUNTY

Horace A. Brown, Punxsutawney, April 28, 1949.

WASHINGTON COUNTY

Miss Fern M. Mummell, Washington, April 28, 1949.

WESTMORELAND COUNTY

Harry Berger, Mount Pleasant, April 28, 1949.

JAMES H. DUFF.

CONSIDERATION OF NOTARIES PUBLIC

A motion was made by Mr. LORD JR. and Mr. CROWE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 427, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurer to hold successive terms.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 549, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809), entitled "An act removing certain roads or sections of road from the State Highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

Which was committed to the Committee on Highways.

House Bill No. 550, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 551, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 552, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 581, entitled:

An Act to add clause (m) to section one hundred eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by including tuberculosis within meaning of term "occupational disease." in the case of nurses.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1037, entitled:

An Act to amend the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381), entitled "Arbitration of Contract Law," by extending the provisions thereof to written collective bargaining contracts for arbitration of controversies and further defining the effect of judgments confirming, modifying or correcting awards.

Which was committed to the Committee on Judiciary General.

House Bill No. 1070, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," by correcting an error in the salary of the coroner.

Which was committed to the Committee on Local Government.

House Bill No. 1093, entitled:

An Act establishing a certain section of road over State-owned lands as a State Highway, and providing for the construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

House Bill No. 1153, entitled:

An Act to further amend section two of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes as indicated and adding certain new routes.

Which was committed to the Committee on Highways.

AMENDMENT TO HOUSE BILL No. 167 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 167, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providng for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships instutitnon districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 349.

He also returned to the Senate, Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia, the Eastern Pennsylvania Psychiatric Institute, as a State institution; providing for a board of trustees and a medical advisory board therefor; conferring powers and imposing duties upon the Department of Property and Supplies, the Department of Welfare, the board of trustees and the medical advisory board.

with the information that the House has passed the same without amendments.

REPORT FROM COMMITTEE

Mr. DONLAN, from the Committee on Local Government, reported as amended, Senate Bill No. 730, entitled:

An Act to create a fund from which loans may be made to Urban Redevelopment Authorities; to facilitate Urban Redevelopment; conferring powers and imposing duties on certain State officials and boards; and making an appropriation.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR., from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Millard G. Shriver (Republican), 643 East High Street, Waynesburg, Greene County, for appointment as a Member of the

Greene County Board of Assistance, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice John A. Stachura, Greensboro, whose term expired.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. K. A. Gillespie, 1011 Main Street, Honesdale, Wayne County, for reappointment as a Member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold D. Woolridge, Clearfield, Clearfield County, for reappointment as a Member of the Board of Trustees of Lock Haven State Teachers' College, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Local Government reported as amended, Senate Bill No. 585, entitled:

An Act authorizing the Controller Treasurer and Receiver of Taxes in cities of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and school districts of the first class under certain conditions

He also, from the Committee on Local Government reported as committed, Senate Bill No. 860, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employes; fixing the salaries of members of the board, assessors and assistant assessors, providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes

Mr. HARE, from the Committee on Local Government, reported as committed, Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 410, entitled

An Act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools

Mr. CHAPMAN, from the Committee on Labor and Industry reported as amended, House Bill No. 1048, entitled:

An Act to further amend clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven and three hundred nine of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by changing the maximum and minimum rates and the total amounts and aggregate of compensation.

Mr. BERGER, from the Committee on Forests and Waters, Game and Fish, reported as amended House Bill No. 1022, entitled:

An Act to amend clause (d) of section five hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the antlerless deer abrogation petitions

Mr. LANE, from the Committee on Labor and Industry, reported as committed, House Bill No. 1049, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by increasing benefits.

Mr. ROSENFELD, from the Committee on Local Gevernment reported as committed, Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

He also, from the Committee on Local Government, reported as committed, House Bill No. 742, entitled:

An Act to add section four point one to and to further

amend section eleven of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for lesser pensions at the employe's or former employe's option after fifteen but less than twenty years of service and contribution and defining "year of service" in certain cases

He also, from the Committee on Local Government, reported as committed, House Bill No. 1106, entitled:

An Act to further amend subsection (a) of section seven of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further regulating appointments of members of the board

He also, from the Committee on Local Government, reported as committed, House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

Mr. TARR, from the Committee on Local Government, reported as committed, Senate Bill No. 241, entitled:

An Act to add article Seven-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by providing for the protection of the public health, and for the appointment, powers and duties of boards of health and health officers.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 788, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by further defining the duties for which compensation and expenses are payable.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 789, entitled:

An Act to further amend clause XXX of section one thousand two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing appropriations for insurance or compensation coverage upon special fire police killed or injured in the performance of their duties.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the part maintained on said land.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1043, entitled:

An Act to amend section four thousand two hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing cities of the third class to appropriate money for the support and maintenance of airdromes or aviation fields situate without the counties in which such cities are located

He also, from the Committee on Local Government, reported as committed, House Bill No. 355, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, owns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various offices of said political subdivisions; and prescribing penalties," by further prescribing the pro rata payments to be made by cities of the third class, counties and school districts for the premiums on bonds for the tax collector, his deputies, clerks and assistants.

Mr. DOEHLA, from the Committee on Local Government, reported as committed, Senate Bil No. 805, entited:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how, and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the

proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the leasing and sale of properties by the Tax Claim Bureau; authorizing county commissioners to purchase properties at certain tax sales, and increasing the percentage charged by the county on moneys collected.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 82, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," by increasing certain fees fixed by said act.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

He also, from the Committee on Local Government, reported as committed, House Bill No. 338, entitled:

An Act to further amend section one hundred eighty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the appointment of a solicitor for the sheriff in counties of the sixth class

Mr. BARR, from the Committee on Local Government, reported as amended, Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 103), entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto," by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries,

He also, from the Committee on Local Government, reported as committed, House Bill No. 708, entitled:

An Act to further amend section two hundred fifty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the appointment by the District Attorney of any county of the sixth class having no assistant district attorney, with the approval of the salary board of a special assistant attorney to aid in murder cases.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 216, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemens relief pension and retirement funds and repealing an existing law.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 488, entitled:

An Act to further amend sections fifteen and twenty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by clarifying certain provisions; eliminating provisions for signatures of county controllers and facsimile signatures; and requiring the payment to the prothonotary of additional fees under certain circumstances.

PERMISSION TO ADDRESS SENATE

Mr. BLASS asked and obtained unanimous consent to address the Senate.

Mr. BLASS. Mr. President, on March 30th last, this Senate passed Senate Bill No. 578 by a vote of 49 to 1. This bill was an amendment to the Western Extension of the Pennsylvania Turnpike Act.

Mr. President, since that time it has been ascertained that this bill, being an amendment, would impede and obstruct seriously the work of the Western Extension of the Pennsylvania Turnpike. In order to facilitate the marketing of the bonds, after a conference with His Excellency, The Governor of the Commonwealth, and the Pennsylvania Turnpike Commission, it was decided to prepare and present a separate bill covering the Erie Extension.

This turn of events very fortunately gave me an opportunity to invite my good friend and colleague, Senator Dent, to act in consort with the original co-sponsors.

Therefore, Mr. President, on behalf of my colleagues, Senator Doehla, Senator Mahany, and Senator Dent, in conjunction with myself, I herewith rise in place and present to the Chair a bill which will authorize the erection and construction of the Erie Extension of the Pennsylvania Turnpike, with the hope and with the prayer that this bill will be as speedily passed by this Senate as its predecessor, Senate Bill No. 578.

BILLS INTRODUCED AND REFERRED

Messrs. BLASS, DOEHLA, MAHANY and DENT read in place and presented to the Chair Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from

a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such points as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; auahorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Which was committed to the Committee on Highways.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 882, entitled:

An Act to further amend section fifty-two of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding a new route in Pike County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 883, entitled:

An Act to amend the title and act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 386), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Rim Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commisssion; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds, and making an appropriation," by changing the name and extending the length of the parkway; establishing the parkway as a memorial; providing that the costs of making surveys, estimates of costs and plans for construction shall be paid from proceeds of bonds issued by the commission; and repealing the appropriation previously made.

Which was committed to the Committee on Highways.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 884, entitled:

An Act to amend the act approved the twenty-seventh day of May, one thousand nine hundred twenty-one (P. L. 1198), entitled "An act regulating the mining of anthracite coal; prescribing duties for certain municipal officers; and imposing penalties," by further regulating such mining; extending its provisions so as to cover townships of the second class; further defining the maps to be filed and requiring copies to be filed with the mine inspectors; and providing remedies.

Which was committeed to the Committee on Mines and Mining.

Mr. ROBINSON read in his place and presented to the Chair Senate Bill No. 885, entitled:

An Act for the government, management and control of county jails and prisons in counties of sixth, seventh, and eight classes.

Which was committed to the Committee on Local Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 886, entitled:

An Act to amend section one thousand four hundred eleven of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school systems including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by providing for uniform compensation of medical and dental examiners and their assistants in certain districts.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 887, entitled:

An Act to add section one thousand four hundred eleven point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by authorizing school districts of the first class to conduct medical and dental examinations of children of school age using school district personnel and by authorizing school districts of the first class and cities coterminous with such school districts to appropriate funds for medical and dental examinations of children of school age.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 888, entitled:

An Act to amend section one thousand one hundred forty-two of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," providing for minimum salaries and increments of certain school nurses in first class school districts.

Which was committed to the Committe on Education.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 889, entitled:

A Joint Resolution proposing an amendment to Section twelve of Article three of the Constitution of the Commonwealth of Pennsylvania by further regulating public contracts.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 890, entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section twenty-two.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 891, entitled:

An Act making it unlawful to kill, trap, snare or poison red foxes in Chester County.

Which was committed to the Committee on Forest and Waters, Game and Fish.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 892, entitled:

An Act to amend sections one and four of the act, approved the ninth day of June, one thousand nine hundred forty-seven (P. L. 1468), entitled "An act authorizing the Joint State Government Commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis; providing for the appointment of a tax study committee; authorizing the employment of necessary assistants; prescribing the powers and duties of the committee; and making an appropriation," by limiting the membership of the tax study committee; providing for the election of its chairman; and extending the time for making report.

Which was committed to the Committee on State Government.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

Which was committed to the Committee on Education.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 895, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 13), entitled "An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board," by increasing the salary of members of the board.

Which was committed to the Committee on State Government.

SENATE CONCURRENT RESOLUTION

RECALLING FROM THE GOVERNOR SENATE BILL No. 456, PRINTER'S No. 241

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concurs), That Senate Bill No. 456, Printer's No. 241, entitled "An act to amend section seventeen of the act, approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products providing penalties and making appropriations from the Motor License Fund and the Liquid Fuels Tax Fund for the payment of such reimbursements," be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

RESOLUTION

Mr. ROSENFELD. Mr. President, in connection with offering this resolution, I would like to read into the Journal an editorial in the Pittsburgh Post-Gazette, of last week, entitled, "It has Happened Here!"

"The secret legislative vote, used by two Senate committees Tuesday to kill the 'big truck' and F.E.P.C. bills, is a disgrace to representative government. The principle of such government is that the elected official shall answer to the voter. That means the voter must know clearly what his representative stands for and what against.

"It is precisely to duck this duty that the cowardly lawmaker hides behind the secret ballot in committee. And since the committee's word on legislation is usually decisive, we have in effect government, not by an elected Assembly, but by an anonymous cabal.

"Normally, though committee sessions are closed, the public has a chance to learn the names of those who voted aye or no. For one thing, a disaffected committee member may often freely and gladly divulge the vote lineup.

"Even this procedure does little more than serve democracy through the back door. But consider the secret committee ballot. Here democracy is not just sealed out at the doors but at the windows, and indeed the very walls. On a 'hot' bill, a committee majority may move to vote secretly, meaning that the members will mark their ballots for or against a measure without linking their names to their votes. No one therefore knows for certain who voted how, so that the public's affairs might as well be conducted by ghosts.

"This is the way of the Star Chamber and the Politburo. In a democratic society it is the way of sneaks and scoundrels who have no business holding public office in the first place.

"The committees of the General Assembly have great power to determine the course of legislation. It it unthinkable that the citizenry should not at the same time have full power to determine the future of members of these same committees—which it doesn't have so long as they are permitted to operate in secret.

"The General Assembly cannot let the scandalous contempt of representative government shown by two Senate committees this week go unpurged. The Harrisburg lawmakers should take effective steps at this session not only to outlaw the secret committee ballot but to compel the publication of a committee's voting record on all legislation."

In further connection therewith, Mr. President, I would like to point out to the Members of this Senate that today on the Third Reading Calendar is Senate Bill No. 626. It has to do with the public school system, and the proviso which we are asked to vote upon today is as follows:

"Section 424 Meetings Open to Public All meetings regular and special of the school directors of any school district and of all boards commissions and authorities created by or operating as agencies of any school district are hereby declared to be public meetings open to the public at all times Provided That nothing contained in this section shall be construed to prevent any such body board commission or authority from holding executive sessions from which the public is excluded but no resolution rule or regulation shall be finally adopted at such an executive session"

Mr. President, I offer the resolution which seeks to amend Senate Rule 24, which would outlaw secret ballots, and ask for its immediate adoption.

REQUEST THAT SENATE RULE 24 BE AMENDED

Mr. ROSENFELD offered the following resolution which was twice read as follows:

In the Senate, April 11, 1949.

Resolved, That Rule 24 of the Senate Rules which reads as follows:

"Duties of Members of Committees.

Every member of a committee shall attend the call of the Chairman, who shall be the first-named person on such committee; and in case of his neglect to call the committee together or in case of his absence by sickness or other cause, the committee shall attend the call of the next person named on the committee."

shall be amended by adding thereto the following: "Every vote shall be yeas and nays and at no time shall there be a written ballot"

REQUEST THAT RULE 39 BE SUSPENDED RESOLUTION REFERRED TO COMMITTEE

Mr. ROSENFELD. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Rules.

RESOLUTION

Mr. DENT. Mr. President and Members of the Senate, we are coming to the close of this Session, and before the final day of adjournment we will be called upon to pass upon millions of dollars of state appropriations, and of this amount the greater share will be spent for health and welfare, and for a health and welfare program for the Commonwealth of Pennsylvania.

Mr. President, I have before me a resolution, and I intend to ask for immediate consideration. Therefore, I believe that it is proper for me at this time to make known to the Members of the Senate exactly what the sponsors of this resolution have in mind, the sponsors being the gentleman from Luzerne, Senator T. Newell Wood, and your humble servant.

Mr. President and Members of the Senate, the resolution reads as follows:

"Whereas: The problem of Medical care and General Welfare is the most costly of Government services, and

"Whereas: This is the most serious problems confronting both the individual citizen and the State Government, and

"Whereas: The basic core of the problem cannot be resolved until we determine the availability of medical service based upon two premises.

"One: The number of Medical students available, the number of Medical students able to attend graduate Medical school, the number of Medical Doctors required for a minimum of services to the people and the part the Commonwealth should play in making Medical education available if needed.

"Two: The amount of space available in the various types of Hospitals, Sanitoriums and welfare institutions, the determination of the prospective future need, the relationship between Hospital bed space and staff requirements, the determination of the proper Institutional care, screening centers, clinical examinations, local and state administration and the determination of a long range plan aimed at the ultimate solution of this problem.

"Therefore, Be It Resolved, That the Joint Government Commission be empowered to employ all of its resources plus whatever scientific expert or administrative advice and testimony it can arrange to receive to fully determine the solution of the problem to be presented to the next General Assembly."

Mr. President, the Committee Members who served

upon the Deshon Hospital Committee can, I believe, follow me in this presentation when I say that there is so much to be gained from an impartial investigation of the medical and health problem and program for this Commonwealth. As the program now stands, Mr. President, we are committed to an expenditure of hundreds of millions of dollars for large institutions to be created and built upon this Commonwealth's land. We are committed to this program, and yet there is not a person within the Commonwealth who can say, as a fact, that that type of program will be needed ten years from now.

Mr. President, we learned in the few short hours that we spent with the Veterans Administration in Washington that they have fully determined, to their own satisfaction at least, that we are living in abnormal times, that the case load for medical institutions is abnormal and beyond that which will be needed in the next generation. The question of how and what is the best method of taking care of this enormous overload that we now are experiencing in mental institutions is one that cannot be determined by just simply building buildings.

There is a well known situation in the Commonwealth where the present hospitals are terribly understaffed, Mr. President, and whether or not by building more institutions we may put ourselves in the position of being further handicapped in the care of those that we now have under our care, we want to know whether or not the Veterans Administration is taking care of its share of the load, whether or not the state of Pennsylvania, because it is liberal in its care to its citizens, is not absorbing a great deal of cost that rightfully belongs in the Veterans Administration, under National auspices.

So, Mr. President, I say to you, and to the Members of the Senate, that this Senate would be very lax in its duty to the future generation if we did not do something along these lines to fully determine what is the need, what is the future plan that is most workable and one that will give the greatest good to the greatest number.

Mr. President, I am asking for immediate consideration on the premise that there can hardly be any opposition to a plan looking toward the betterment of the situation, I send to the Chair the following resolution.

JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEM OF MEDICAL CARE AND GENERAL WELFARE

Messrs. DENT and T. NEWELL WOOD offered the following resolution which was twice read as follows:

In the Senate, April 11, 1949.

Whereas: The problem of Medical care and General Welfare is the most costly of Government services, and

Whereas: This is the most serious problem confronting both the individual citizen and the State Government, and

Whereas: The basic core of the problem cannot be resolved until we determine the availability of medical service based upon two premises.

One: The number of Medical students available, the number of Medical students able to attend graduate Medical school, the number of Medical Doctors required for a minimum of services to the people and the part the Commonwealth should play in making Medical education available if needed.

Two: The amount of space available in the various types of Hospitals, Sanitoriums and welfare institutions, the determination of the prospective future need, the relationship between Hospital bed space and staff requirements, the determination of the proper Institutional care, screening centers, clinical examinations, local and state administration and the determination of a long range plan aimed at the ultimate solution of this problem.

Therefore, Be It Resolved, That the Joint Government Commission be empowered to employ all of its resources plus whatever scientific expert or administrative advice and testimony it can arrange to receive to fully determine the solution of the problem to be presented to the next General Assembly.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection,

The Chair hears none.

On the question,

Will the Senate agree to the resolution.

Mr. DENT. Mr. President, early in the Session the leaders, both Minority and Majority, got together on the basis of not asking for immediate consideration of a resolution. Therefore, to keep my end of that particular understanding, I would suggest that if the Majority Leader would allow himself to be interrogated, I would request a few words with him.

The PRESIDENT. Will the gentleman from Allegheny, Senator Walker, permit himself to be interrogated?

Mr. WALKER. Mr. President, I have no objection to this interrogation.

Mr. DENT. Mr. President, does the gentleman from Allegheny, Senator Walker, think it would be possible to recess for a few minutes so we can take into consideration the contents of this resolution?

Mr. WALKER. Mr. President, may the Senate be at ease a minute until I get a chance to look at the resolution that Senator Dent and Senator T. Newell Wood have sponsored?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. WALKER. Mr. President, I have read the resolution presented by the gentleman from Westmoreland, Senator Dent, and the gentleman from Luzerne, Senator Wood, and I have no objection to immediate consideration of said resolution.

And the question recurring,

Will the Senate agree to the resolution?

The resolution was agreed to.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WALKER, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 18, 1949, at one o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 18, 1949, at one o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. FARRELL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL, read in place and presented to the Chair Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. T. NEWELL WOOD, from the Committee on Labor and Industry, reported as committed, House Bill No. 1060, entitled:

An Act to further amend clause (a) of section three hundred one clauses (a) (b) (c) and (f) of section three hundred six section three hundred seven and clause (a) of section three hundred eight and to amend sections three hundred nine and four hundred two of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by changing the maximum and minimum rates and total amounts and aggregate of compensation

BILL INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, read in place and presented to the Chair Senate Bill No. 897, entitled:

An Act to further amend subsection A of section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing banks and trust companies to make loans on security of bonds secured by mortgages upon real property situated within the Commonwealth when said mortgages are insured by the United States Department of Agriculture.

Which was committed to the Committee on Banking.

REPORTS FROM COMMITTEE

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 852, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring all bonds issued by Authorities for the acquisition of real property to be of uniform priority lien and standing and prohibiting the delegation of managerial powers except to political subdivisions.

He also, from the Committee on Local Government reported as amended, Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by further regulating the administration and payment of such pensions in certain cases.

BILL INTRODUCED AND REFERRED

Mr. HOLLAND. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND. read in place and presented to the Chair Senate Bill No. 898, entitled:

An Act requiring the cleaning of windows and interior walls of industrial and office buildings at stated intervals; requiring the use of safety belts; imposing penalties.

Which was committed to the Committee on Labor and Industry.

EXECUTIVE NOMINATIONS

UNANIMOUS CONSENT UNDER RULE 38

A motion was made by Mr. LORD, JR. and Mr. TALLMAN

To grant unanimous consent to immediate consideration of the nominations reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-days session.

Which was agreed to.

The Clerk read the nominations as follows:

MEMBER OF GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Milard G. Shriver (Republican), 643 East High Street, Waynesburg, Greene County, for appointment as a Member of the Greene County Board of Assistance, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice John A. Stachura, Greensboro, whose term expired.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. K. A. Gillespie, 1011 Main Street, Honesdale, Wayne County, for reappointment as a Member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHER'S COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold D. Woolridge, Clearfield, Clearfield County, for reappointment as a Member of the Board of Trustees of Lock Haven State Teachers' College, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

JAMES H. DUFF

CONSIDERATION OF EXECUTIVE NOMINATIONS

Whereupon,

A motion was made by Mr. LODR, JR. and Mr. TALLMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. BLASS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, read in place and presented to the Chair Senate Bill No. 899, entitled:

An Act to amend subsection (b) of section one thousand one hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing cities of the third class to remove and impound vehicles.

Which was committed to the Committee on Highways.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 177, as follows:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" is hereby amended by adding after clause (f) thereof two new clauses to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

(g) "School building" shall mean but shall not be limited to any structure used or useful for schools and playgrounds including facilities for physical education

(h) "Cost of a project" shall include but shall not be limited to the cost of all real estate properties rights and easements acquired the cost of construction of school buildings and the furnishing and equipment thereof all financing charges interest prior to and during construction engineering architects' and legal expenses including the cost of plans specifications and surveys estimates of costs and revenues administrative expenses and such other expenses as are necessary or incident to the financing herein authorized or to determine the feasibility or practicability of any project and the condemnation of property necessary for use of or in connection with any school building

Section 2 Section three clauses (h) (i) and (n) of section four section five and subsection (a) of section six of said act are hereby amended to read as follows

Section 3 State Public School Building Authority The Governor the State Treasurer the Auditor General the Superintendent of Public Instruction the Secretary of Property and Supplies the President Pro Tempore of the Senate the Speaker of the House of Representatives the minority leader of the Senate the minority leader of the House of Representatives and their respective successors in office are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of the "State Public School Building Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members

Section 4 Purposes and General Powers

* * * * *

(h) To fix alter charge and collect rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority not provided for by appropriation by the Commonwealth or otherwise the construction improvement repair equipping and furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money for the purpose of paying the cost of any project make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (hereinafter called "bonds") of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

* * * * *

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its school districts nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its school districts nor shall the Commonwealth or any of its school districts be liable for the payment of principal or interest on such obligations

Provided further That all contracts between the Authority and school districts shall be conditioned upon the preparation of general plans for the orderly development of improved attendance areas and administrative units and for the improved housing of the public schools of the Commonwealth These plans shall be prepared cooperatively by local county and State school authorities in accordance with standards and regulations prescribed by the Department The Department shall have authority and its duty shall be to review all construction projects to determine

(1) The extent to which they conform to general county and State plans

(2) The amount of improvement to be brought about in attendance areas and administrative units

(3) The adequacy of the proposed building with respect

to educational design location usefulness for community activties safety comfort and convenience

(4) The ability of the local school district or districts to amortize the cost of [construction] the project and to defray the cost of operation and maintenance

No contract shall be executed between the Authority and school districts without the specific written approval of the Department

Section 5 Contracts to Lease and Leases by School Districts from Authority Any school district or districts within the Commonwealth shall have power and authority with the approval of the [Governor] Superintendent of Public Instruction to enter into contracts with the Authority to lease as lessee from the Authority any school building and the furnishings and equipment thereof constructed or improved by the Authority for a term with respect to each not exceeding [thirty] [(30)] forty (40) years at such rental or rentals as may be determined by the Authority and upon the completion of said school building and the furnishings and equipment thereof the school district or districts shall have power and authority with the approval of the [Governor] Superintendent of Public Instruction to lease as lessee any school building and the furnishings and equipment thereof completed by the Authority for a term with respect to each not exceeding [thirty (30)] forty (40) years at such rental or rentals as may be determined by the Authority

Section 6 Purposes and Powers Bonds (a) The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding [thirty (30)] forty (40) years from their respective dates bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of the Authority as such resolution or resolutions may provide The bonds shall [be signed by such officers as the Authority shall determine] bear the facsimile signatures of the Governor and of the President of the Authority together with a facsimile of the corporate seal and the manual signature of the secretary and treasurer in attestation thereof and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids the notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals the name of the officer to whom bids or proposals shall be delivered and a statements of the terms and conditions of sale Provided that any of said bonds may be sold to the State Employes' Retirement Board the State Employes' Retirement Fund or to the School Employes' Retirement Board or to any other custodial board or fund without advertisement or competitive bidding Pending the preparation of the definitive bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Such bonds are hereby made securities in which all officers of the State and its political subdivisions and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 3 Said act is hereby amended by adding after section six thereof a new section to read as follows

Section 6.1 Refunding Bonds The Authority is hereby authorized to provide by resolution of the board for the issuance of refunding bonds for the purpose of refunding any bonds of the Authority issued under the provisions of this act and then outstanding either by voluntary exchange with the holders of such outstanding bonds or to provide funds to redeem and retire such outstanding bonds with accrued interest and any premium payable thereon at maturity or at any call date The issuance of such refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Authority in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable Refunding bonds may be issued by the Authority to refund bonds originally issued or to refund bonds of the Authority previously issued for refunding purposes

Section 4 Sections eight nine ten and fourteen of said act are hereby amended to read as follows

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board Within ninety days after this act shall become effective the board shall meet and organize by electing from their number a president treasurer and secretary At the first regular meeting in each year thereafter they shall elect from their number a president and secretary

Five members shall constitute a quorum of the board for the purpose of organizing the Authority and conducing the business thereof and for all other [purpose] purposes and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the

United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out one the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth and legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to finances operation and affairs All moneys of the Authority from whatever source derived except such part thereof as may be required to pay the administrative and other costs of operating the Authority as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance or bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 10 Competition in Awards of Contracts If any project or any portion thereof or any improvement thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars ($500) such contract shall be awarded to the lowest responsible bidder after advertisement for bids once a week for three weeks in at least one newspaper of general circulation in the county where the project or improvement is located The authority may make rules and regulations for the submission of bids and the construction or improvement of any project or portion thereof No contract shall be entered into for construction or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the authority and in an amount fixed by the Authority for the faithful performance of the contract and such contract shall be accompanied by an additional bond for the protection of those who furnish labor and material for such amount and subject to the same terms and conditions as recommended by the administrative Code of one thousand nine hundred twenty-nine as amended on contracts entered into by the department of property and supplies for the erection of buildings All construction contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this action shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof

Section 14 Exemption from Taxation The effectuation of the authorized purposes of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their welfare and prosperity and for the improvement of their education and educational facilities and since the Authority will be performing essential governmental functions in effectuating such purposes the Authority shall be exempt from payment of any taxes or assessments upon any property acquired held owned leased or used by it for such purposes and the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 5 Said act is hereby amended by adding after section fourteen thereof a new section to read as follows

Section 14.1 Scope of Act This act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 6 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL N. 177

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 177.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,

Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 485, as follows:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be charged and collected by the recorders of deeds in counties of the first class shall be as follows

For recording deeds of not more than four pages three dollars and fifty cents ($3.50) and one dollar ($1) for each additional page or fractional part thereof

For registration of deeds which the recorder of deeds is required to have registered in any office for the registration of deeds other than the said recorder's office twenty-five cents ($.25) for each description in such deed in addition to the recording fee

For recording mortgages of not more than four pages six dollars and fifty cents ($6.50) and one dollar ($1) for each additional page or fractional part thereof

For recording widow's election two dollars and fifty cents ($2.50)

For recording release of legacies two dollars and fifty cents ($2.50)

For recording decree of femme sole trader two dollars and fifty cents ($2.50)

For recording power of attorney of not more than two pages two dollars and fifty cents ($2.50) and one dollar ($1) for each additional page or fractional part thereof

For recording or exemplifying of commission with bond and oath for notary public city or county officer or magistrate five dollars ($5) special police officer two dollars and fifty cents ($2.50)

For exemplification of special police officer's oath one dollar ($1)

For recording all other instruments of writing of not more than four pages three dollars and fifty cents ($3.50) and one dollar ($1) for each additional page or fractional part thereof

For exemplification of records of not more than two pages two dollars and fifty cents ($2.50) and one dollar ($1) for each additional page or fractional part thereof in addition to fifty cents ($.50) for certificate and seal

For noting any instrument on margin of record twenty-five cents ($.25)

For entering satisfaction or partial payment on margin of record of mortgage one dollar and fifty cents ($1.50)

The word page as hereinbefore used shall mean a legal cap or typewritten page

For making searches mortgages conveyances and assignments of mortgages

For each and every ten years or fractional part thereof each name one dollar ($1)

Each reference examined ten cents ($.10)

Certificate and seal to search fifty cents ($.50)

The fees for services not herein specifically provided for shall be the same as for similar services as nearly as can be practically ascertained

Section 2 All fees shall be exclusive of any tax or any fee payable to the Commonwealth now or hereafter provided for by law and which the recorder of deeds is or shall be required to collect

Section 3 The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (P. L. 1104) is hereby repealed All other acts or parts of acts inconsistent herewith are hereby repealed

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 485

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 485.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on third reading, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school district are not wholly within a city

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 43, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the state treasury to be known as the toll bridge fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the secretary of highways in relation thereto providing for the payment of interests on and the redemption of such bonds and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred thirty-three of an amendment to article nine of the Constitution of Pennsylvania which read as follows

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the General Assembly may provide by law for the issue of bonds to the amount of ten millions of dollars for the purpose of acquiring toll bridges and may by law provide that upon the acquisition of any such bridge tolls may be charged for the use thereof sufficient to pay the interest and sinking fund charges on such bonds and the cost of maintenance of such bridges until the bonds issued have been retired and such bridges are freed of tolls" the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on the credit of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of ten million dollars ($10,000,000) as may be deemed necessary for the purpose of acquiring toll bridges wholly within the Commonwealth

Section 2 Bonds Issue Maturity Interest Et Cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed four per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General the State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Toll Bridge Fund which is hereby created and shall be used for the payment of the cost of acquiring toll bridges and any necessary expenses connected therewith

Section 5 Registration of Bonds The Auditor General

shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the toll bridge sinking fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall appropriate biennially the moneys necessary to pay the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the toll bridge sinking fund by the State Treasurer All of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

Section 8 Present biennium requirements the Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning June first one thousand nine hundred forty-nine and the times and amounts of such payments and the amount so determined shall be transferred from the toll bridge fund to the toll bridge sinking fund and for such purpose as much of the money in the toll bridge fund as may be necessary is hereby appropriated

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for the acquisition of toll bridges when the Secretary of Highways with the approval of the Governor shall decide to do so

Section 10 Appropriation The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated from the general fund for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer and repayment of the sum or sums hereby appropriated shall be made to the general fund from the toll bridge fund

Section 11 Repeal The act approved the second day of January one thousand nine hundred thirty-four (1933-34 P. L. 201) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 12 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Stevenson,	Wolfe,
Doehla,	Lord,	Snowden,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act empowering authorizing and directing the secretary of highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of Common Pleas authorizing the Secretary of Highways to enter into agreements with a State Authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The words "Toll Bridge" or "Bridge" as used in this act shall mean any bridge whereon toll is charged located wholly within the Commonwealth of Pennsylvania over any stream or river or over a stream or river and

the facilities of any public service company and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge and used in the operation and maintenance of same

Section 2 The Secretary of Highways is hereby authorized to acquire on behalf of the Commonwealth any toll bridge as defined in this act the acquisition of such toll bridges may be either by purchase or by condemnation proceedings as the Secretary of Highways may deem expedient the time or times when such toll bridge or bridges shall be acquired shall be determined by the Secretary of Highways with the approval of the Governor and the Secretary of Highways shall proceed with the acquisition of toll bridges at the earliest date he shall deem expedient the cost of acquiring such toll bridges shall be paid as hereinafter provided

Section 3 The Secretary of Highways shall whenever he determines to acquire any such toll bridge ascertain or estimate the value thereof and shall in writing give notice of such valuation to the owner or owners thereof such notice shall contain an offer to purchase such toll bridge at the valuation made by the Secretary of Highways

Section 4 If the owner or owners of such bridge accept such offer or whenever the Secretary of Highways and the owner or owners of such bridge shall agree on a purchase price after negotiation the Secretary of Highways and said owner or owners shall enter into a written agreement by the terms of which the owner or owners shall transfer to the Commonwealth at and for the price agreed upon a good sufficient and marketable title to such toll bridge as herein defined or transfer or procure the transfer to the Commonwealth of all of the outstanding stock of the owner corporation as provided in section five of this act

Section 5 Whenever the owners of any toll bridge is a corporation whose sole activity is the ownership and operation of a toll bridge the agreement of sale may provide that the Commonwealth shall acquire title to the bridge by the purchase of all of the outstanding shares of stock of the corporation to arrive at the price to be paid for such stock the Secretary of Highways shall ascertain or estimate the value of the toll bridge as in other cases and such valuation or the valuation which may be fixed after negotiations between the owners and the Secretary of Highways shall be the total price to be paid for such stock such valuation shall exclude all property and assets of the corporation not deemed by the Secretary of Highways to be essential in connection with the operation of the toll bridge and from the total amount of such valuation all indebtedness of the corporation shall be deducted or arrangements made for payment thereof in the event of such purchase all of the stock of the corporation shall be transferred to the Secretary of Highways to be held by him or his successor in office in his official capacity for the Commonwealth of Pennsylvania and from the date of such transfer the bridge shall be deemed to be the property of the Commonwealth of Pennsylvania to be operated or maintained in the same manner as hereinafter provided for the operation and maintenance of the bridge had it been acquired by condemnation after the Secretary of Highways shall have received all of the shares of stock of a corporation whose toll bridge property including the franchise has been acquired by the purchase of stock he shall have authority to vote such shares of stock for the purpose of procuring a conveyance of the toll bridge and all property and assets used in connection with the operation thereof to the Commonwealth of Pennsylvania and for the purpose of procuring the dissolution of the corporation by proceedings to be promptly instituted by the Secretary of Highways and for any other lawful purpose necessary to effect the acquisition of the bridge property by the Commonwealth

Any agreement providing for the acquisition of a toll bridge by the purchase of all outstanding stock of the owner corporation shall be contingent upon payment of all debts and obligations of the corporation or shall provide a plan for the payment of such outstanding debts or obligations by the deposit of funds in escrow for payment thereof

If any bridge is to be acquired by purchase of the bridge property or by purchase of the stock of the corporation as hereinbefore provided the agreement for such purchase or transfer may provide for the payment of the purchase price in installments in such amounts and at such times as mutually may be agreed upon by the owners and the Secretary of Highways

Section 6 Whenever a toll bridge is acquired as hereinbefore provided the price to be paid therefor shall be paid from the toll bridge fund by the State Treasurer on requisition of the Secretary of Highways as provided by law and if there are insufficient funds in the toll bridge fund for such purpose it shall be the mandatory duty of the Secretary of Highways to notify the Governor the Auditor General and the State Treasurer to issue and sell bonds promptly to provide funds for payment of amounts due or to become due under the terms of any agreement providing for the acquisition of any toll bridge as hereinbefore provided

All agreements for the purchase of any toll bridge as hereinbefore provided shall be approved by the Governor and the Attorney General and shall be recorded in the county or counties wherein any real estate used in connection therewith is located

Section 7 In the event that the owner or owners of any such toll bridge refuse or neglect to accept the offer of the Secretary of Highways to purchase a toll bridge at and for the valuation made by him or whenever an agreement cannot be reached on the purchase price the Secretary of Highways may condemn such toll bridge condemnation shall be effective at the time the Secretary of Highways shall file in the office of the prothonotary of the Court of Common Pleas of the county in which such bridge is located or in the case of a toll bridge on the boundary line between two or more counties then in the prothonotary's office of any one of such counties a certificate of condemnation signed by him and approved by the Governor describing the property taken at the same time the Secretary of Highways shall make application by petition to the Court of Common Pleas of the same county in which such certificate of condemnation is filed for the appointment of viewers whereupon said court or any law judge thereof shall appoint three discreet and disinterested freeholders to view such bridge and estimate the value thereof none of said freeholders shall be a resident of the county wherein such application shall be made the said court shall fix a time less than twenty nor more than thirty days thereafter when said viewers shall meet upon the property and view the same the said viewers shall cause at least ten days' personal notice of the time and place of such first meeting to be given to the Attorney General and to the owner or owners of such bridge if resident within said county if said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county if neither said owner nor any of said officers reside within said county or cannot be found therein notice of such first meeting shall be given as said court may direct

Jurisdiction is hereby conferred upon the several courts of common pleas of this Commonwealth in counties where toll bridges are located in whole or in part for the purpose of filing condemnation certificates as herein provided and for determining any petition by the Secretary of Highways under the provisions of this act

Section 8 The said viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for said first meeting or at any adjourned meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any person whose testimony may be pertinent thereto and the production of any such books and papers as said viewers may deem necessary if

any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when thereto required the said court or any judge thereof shall upon application of said viewers or a quorum thereof make such order therein as may be necessary

Section 9 Whenever said viewers shall have ascertained the value of said toll bridge they shall prepare a full report of their labors said report shall include a plan showing the location of said bridge upon the completion of said report the viewers shall fix a time when they shall meet and exhibit same ten days' written notice of the time and place of such meeting shall be given to the Secretary of Highways to the Attorney General and to the owner or owners of said bridge at the time and place mentioned in such notice the said viewers shall meet and publicly exhibit said report and hear all exceptions thereto after making any changes in such report as the views may deem necessary the report shall be filed in said court

Section 10 Within thirty days after the filing of said report in said court the Commonwealth of Pennsylvania or the owner or owners of the bridge may file exceptions thereto whereupon said court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Within thirty days after final action on said report by the court the Commonwealth of Pennsylvania or the owner or owners of the bridge may demand a trial by jury

From the action of the court on exceptions if a jury trial is not demanded or from any judgment after a jury trial an appeal may be taken by either party to the Supreme Court of Pennsylvania

Section 11 The costs of said condemnation proceedings including the court costs compensation of viewers and the cost of any advertising which may be required hereunder shall be paid by the county in which such proceedings are instituted and on requisition of the Secretary of Highways any county paying such costs shall be reimbursed therefor from the toll bridge fund each of said viewers shall receive a sum not exceeding thirty-five dollars ($35) for each day actually and necessarily employed in the performance of the duties herein prescribed

Section 12 As soon as the Secretary of Highways and the owner or owners have agreed upon the purchase price of any such bridge as evidenced by an agreement approved as provided in section six of this act the Secretary of Highways shall take possession of such bridge in the name of the Commonwealth whenever the Secretary of Highways condemns any such toll bridge as hereinbefore provided he shall forthwith take possession of such bridge in the name of the Commonwealth the amount of any award or verdict under the condemnation proceedings for the acquisition of any such bridge shall be paid out of moneys in the toll bridge fund by the State Treasurer upon requisition by the Secretary of Highways

It shall be the mandatory duty of the Secretary of Highways to notify the Governor the Auditor General and the State Treasurer to issue and sell bonds promptly to provide funds for payment of any final award in condemnation proceedings instituted for the acquisition of any toll bridge it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue and sell bonds as herein provided in an amount not to exceed ten million dollars ($10,000,000) in the aggregate

Section 13 From the date the Secretary of Highways takes and continues possession of the bridge until the amount of such purchase price is paid to the owner or owners of such toll bridge interest shall be paid thereon at the legal rate interest at the same rate shall be paid on any award or verdict under condemnation proceedings from the time the Secretary of Highways takes and continues possession of such bridge until payment of the award or verdict after the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme Court if any be taken

Section 14 In the event the Secretary of Highways determines to acquire any toll bridge by condemnation proceedings and is prevented by order of court or for any other reason from taking possession of the bridge as herein provided or from continuing possession once obtained the owner or owners of such bridge shall keep and render to the Secretary of Highways an accurate account of all tolls or income collected or paid for the use occupancy or crossing of such bridge from and after the date and hour when the Secretary of Highways was prevented from taking possession of such bridge or from continuing possession thereof and the amount of the tolls and revenues so collected together with lawful interest thereon less costs of collection shall constitute a credit against and be deducted from the amount which the owner or owners shall be entitled to receive for such toll bridge as finally determined in the condemnation proceedings

Section 15 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring such bridge together with such interest thereon as shall have been expended by the Commonwealth and the cost of compensation of toll collectors all tolls and charges collected by the Secretary of Highways shall be paid into the toll bridge fund and the salaries of toll collectors shall be paid therefrom on requisition of the Secretary of Highways whenever the tolls collected from such bridge after deduction of all moneys expended for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring such bridge with interest thereon as aforesaid then such bridge shall become and be thereafter a free bridge provided however that any such bridge shall be maintained as a free bridge and the collection of tolls thereon shall cease if at any time the legislature shall provide for the payment out of the General Fund or from the Motor License Fund if authorized by constitutional amendment of all interest and sinking fund charges on any bonds issued for the acquisition of such bridge

The Secretary of Highways is hereby authorized to adjust readjust and fix from time to time the amount of tolls and charges on such bridge as may be acquired under the provisions of this act for the purpose of paying the interest and sinking fund charges on bonds issued for the purpose of acquisition

Section 16 Should the Secretary of Highways so elect he may enter into an agreement or agreements with any State Authority or agency so authorized to act whereby such authority or agency can acquire for the use of the Commonwealth any toll bridge located wholly within Pennsylvania the terms of any agreement entered into pursuant to this section shall include provisions whereby any bridge so acquired shall become a free bridge whenever the tolls collected therefrom less the expense of toll collection shall be sufficient to retire all bonds issued by the authority or agency for such acquisition or whenever sufficient funds shall be provided for such purpose either by the sale of bonds pursuant to the provisions of the constitutional amendment authorizing the issuance of bonds for the acquisition of toll bridges within Pennsylvania or by statutory appropriation as duly authorized by law

Section 17 Whenever any such bridge is acquired by the Commonwealth as hereinbefore provided it shall be a part of the system of state highways and shall be under the control of the Department of Highways and shall be thereafter maintained kept in repair and rebuilt by the Department of Highways in accordance with the law relating to state highways and bridges the Department of Highways shall take over and succeed to all agreements with public service companies or other persons for the use and occupancy of such bridges by the facilities of such companies such use and occupancy to be governed by the law relating to the issuance of occupancy permits on

bridges under the jurisdiction of the Department of Highways

The Department of Highways may take over and succeed to any agreement in effect at the time of the acquisition of any toll bridge providing for easements and licenses in respect of such bridge which in the opinion of the Secretary of Highways will not materially interfere with the use and operation of such bridge as a thoroughfare

Section 18 So much of the money in the toll bridge fund is hereby specifically appropriated for such purposes political subdivisions of the Commonwealth may enter into agreements with the Secretary of Highways to pay out of funds available to them for road and bridge purposes all or any part of the cost of acquiring toll bridges as herein provided the Secretary of Highways is authorized to accept federal grants for the purpose of acquiring toll bridges

Section 19 The following acts and parts of acts their amendments and supplements are hereby specifically repealed

The act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1139) entitled "An act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor providing for the operation of such bridges as free bridges after acquisition and making an appropriation"

The act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1144) entitled "An act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled 'An act appropriating the moneys in the Motor License Fund' as reenacted and amended by adding to section five a new clause making the moneys in the Motor License Fund available for the acquisition of toll bridges located wholly within Pennsylvania"

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 20 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 135, as follows:

An Act to amend section five and to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemination of necessary properties easements rights and right-of-ways and making an appropriation" by abolishing the Schuylkill River Desilting Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemination of necessary properties easements rights and right-of-ways and making an appropriation" is hereby amended to read as follows

Section 5 The Water and Power Resources Board in conjunction with the Department of Property and Supplies is hereby authorized to sell lease or otherwise dispose of any material or materials obtained by dredging or removal of structures acquired under the provisions of this act and not needed by the Commonwealth for other purposes relative to this project [Any money so received through such sales lease or other disposition shall accrue to the fund created by this act]

Section 2 Section seven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1042) is hereby further amended to read as follows

Section 7 Acquisition of Properties and Rights

(a) The Water and Power Resources Board is hereby authorized subject to the approval of the Attorney General to acquire by donation agreement lease purchase or condemnation and to own or hold in the name of the Commonwealth real and personal property rights lands easements and right-of-ways necessary for the execution of the above stated project

(b) The Water and Power Resources Board may sell for domestic industrial or municipal purposes the waters of any and all of the canals acquired under the provisions of this act

(c) The board may with the approval of the Governor sell or lease any property real personal or mixed acquired in the name of the Commonwealth under the provisions of this act not needed by the Commonwealth for the purposes of the act to which this is an amendment [The moneys received through such sale or lease shall be paid into the Schuylkill River Desilting Fund for the use of the Water and Power Resources Board for the purpose of carrying into effect the provisions of the act to which this is an amendment]

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 153, on third reading, entitled:

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 173, as follows:

An Act to amend section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2126 Contracts All contracts made by any school district of the first class shall state therein on what item in the annual estimate of school expenditures the same is based Every contract before becoming valid shall be properly certified by the school controller who shall at the time of so doing charge up the amount of any such contract against the item in the annual estimate on which the same is based No contract shall be certified by the school controller if the amount to become due thereon shall exceed the item of expenditure on which it is based [When any such contract shall extend over a period of more than one year the school controller shall charge against the item in the annual estimate of school expenditures on which the same is based only so much as is due and payable on such contract for said year]

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 229, as follows:

An Act to amend section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participating in school athletics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public schools system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 511 Rules and Regulations Governing Athletics Publications and Organizations (a) The board of school directors in every school district of the first or second class shall in any district of the third or fourth class may prescribe adopt and enforce such reasonable rules and regulations as it may deem proper regarding the management control or prohibition of exercises athletics or games of any kind taken part in or played by any pupils

as members of or in connection with any public school and regarding the organization management supervision control or prohibition of school publications and of organizations or societies of the members of any class or school and may provide for the suspension dismissal or other reasonable penalty in the case of any superintendent teacher appointee employe or pupil who violates any of such rules and regulations

(b) The board of school directors of any district is hereby authorized to appropriate any monies of the district for the payment of medical and hospital expenses incurred as a result of participating in such athletic events or games practice or preparation therefor or in transportation to or from such athletic events or games or the practice or preparation therefor and for the purchase of accident insurance in connection with such participation and transportation

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 402, on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powes and duties conferring certain powers and duties on the Department of Banking and providing penalties" further regulating the power and duties of credit unions their officers and employes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 487, as follows:

An Act to repeal subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the special fund for game lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 508, as follows:

An Act to amend section one thousand three hundred fifty one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1351 Duty to make penalty for interfering The board of public education in school districts of the first class where an adequate continuing school census is maintained shall between March first and September first once in three years commencing with the year 1951 and the board of school directors in every school district of the second third and fourth class shall between March first and September first of each year cause to be made by the attendance officers teachers or other persons

employed for this purpose a careful correct and accurate enumeration on census cards provided by the district at the expense of the district or in a substantial book or books provided by the Superintendent of Public Instruction at the expense of the State for that purpose of all the children between the ages of six (6) and eighteen (18) years within their district giving the full name date of birth age sex nationality place of residence in such school district name and address of parent or persons in parental relation the name and location of the school where the child is enrolled or belongs and the name and address of the employer of any child under eighteen (18) years of age who is engaged in any regular employment or service such enumeration shall be made by careful inquiry at the residence of each family in the district the person making such enumeration upon completion thereof shall make a proper oath or affirmation as to its correctness such enumeration shall also include the names and addresses of all persons firms or corporations employing or accepting service from children under eighteen (18) years of age the board of school directors in any school district shall have authority to cause to be made an enumeration of all minors residing within the district and the Superintendent of Public Instruction may at his discretion require such enumeration

If any person shall hinder or prevent or attempt to hinder or prevent any attendance officer or teacher or other person from performing any duty provided for in this section he shall on summary conviction thereof be sentenced to pay a fine not exceeding five dollars ($5) or to undergo an imprisonment not exceeding five (5) days

Section 2 This act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 572, as follows:

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of a filing system for rating cards in office of the county superintendents by boards of school directors in districts under his supervision

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1125 Suspensions and Reinstatements How Made (a) Whenever a board of school directors decreases the size of the staff of professional employes the suspensions to be made shall be determined by the county superintendent of schools or the district superintendent as the case may be on the basis of efficiency rank determined by ratings made in accordance with standards and regulations determined by rating cards prepared by the Department of Public Instruction it shall be the duty of boards of school directors to cause to be established a permanent record system containing ratings for each professional employe employed within the district Copies of all ratings for the year shall be transmitted to the professional employe upon his or her request or if any rating during the years is unsatisfactory a copy of same shall be transmitted to the professional employe concerned No professional employe shall be dismissed under this Act unless such rating records have been kept on file by the Board of Schol Directors Provided That boards of school directors in district under supervision of the county superintendent may establish a filing system for rating cards in the office of the county superintendent of schools

Section 2 The provisions of this Act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 614, as follows:

An Act to further amend subsection seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to withdraw from the public school employes' retirement system in the event that such employes should become eligible for coverage and benefits under the old age and survivors' insurance provisions of the Federal Social Security Act by future action of the Congress of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 650) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State normal schools or of the staff of the State Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions Provided That no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act And provided further That those employes of the Department of Public Instruction who are members of or are entitled to membership in the retirement system herein established may withdraw from the system and be entitled to reimbursement of moneys which they have paid in by so electing in writing filed with the retirement board on or before the first day of July one thousand nine hundred and thirty-six After said date all new employes in the Department of Public Instruction shall be members of said system unless they elect otherwise in writing filed with the retirement board within one year after beginning their employment And provided further That any employes who are members of the retirement system herein established and who may by future action of the Congress of the United States become eligible for coverage and benefits under the old age and survivors' insurance provisions of the Federal Social Security Act may withdraw from the retirement system and be entitled to reimbursement of moneys which they have paid in by so electing in writing filed with the retirement board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 626 as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundrel forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making certain corrections and additions to conform to existing law and eliminating inoperative provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section four hundred twenty-three thereof a new section to read as follows

Section 424 Meetings Open to Public All meetings regular and special of the school directors of any school district and of all boards commissions and authorities created by or operating as agencies of any school district are hereby declared to be public meetings open to the public at all times Provided That nothing contained in this section shall be construed to prevent any such body board commission or authority from holding executive sessions from which the public is excluded but no resolution rule or regulation shall be finally adopted at such an executive session

Section 2 Section five hundred two subsection (a) of section five hundred thirteen and sections one thousand fifty-three and one thousand fifty-four of said act are hereby amended to read as follows

Section 502 Additional Schools and Departments In addition to the elementary public schools the board of school directors in any school district may establish equip furnish and maintain the following additional schools or departments for the education and recreation of persons residing in said district and for the proper operation of its schools namely

High schools
[Manual training schools] Trade schools
Vocational schools
[Domestic science schools] Technical schools
Cafeterias
Agricultural schools
Evening schools
Kintergartens
Libraries
Museums
Reading-rooms
Gymnasiums
Playgrounds
Schools for physically and mentally handicapped
Truant schools
Parental schools
Schools for adults
Public lectures

Such other schools or educational departments as the directors in their wisdom may see proper to establish

Said additional schools or departments when established shall be an integral part of the public school system in such school district and shall be so administered

No pupil shall be refused admission to the courses in these additional schools or departments by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school

Section 513 Group Insurance Contracts (a) Any school district [or vocational school district] may make contracts of insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purpose may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof

Section 1053 Appointment of Assistant Superintendents Assistant county superintendents shall be appointed by majority vote of the county board of school directors on nomination of the county superintendent to serve until the end of the term of office of the county superintedent The superintendent of each county entitled to one or more assistant superintendents shall within fifteen (15) days after receiving his commission nominiate to the county board of school directors the number of assistants superintendents to which he is entitled The persons so nominated shall furnish the president of the county board of school directors evidence of eligibilty in accordance with the regulations of the State Council of Education [By a majority vote of the county board of school directors the person or] [persons nominated may be appointed to serve until the end of the term of office of the county superintendent]

Section 1054 Supervisors of Special Education Qualifications Appointment Any person who is certified to teach in the public schools of the Commonwealth and who is certified as a public school psychologist by the Department of Public Instruction shall be eligible for appointment as a supervisor or joint supervisor of special education

Supervisors of special education shall be appointed by majority vote of the county board of school directors or in the case of joint supervisors bv a majority vote of the several members of the county boards of counties served on the nomination of the county superintendent or superintendents until the end of the term of office of the county superintendents

The superintendent of each county entitled to one or more supervisors of special education shall nominate to the county board of school directors a candidate or candidates for the office of supervisor of special education [By a majority vote of the county board of school directors the candidate or candidates may be appointed to serve until the end of the term of office of the county superintendent]

The county superintendents of the counties which are entitled to a joint supervisor of special education shall nominate to their county boards of school directors a candidate for the office of joint supervisor of special education [By a majority vote of the several members of the county boards of school directors the candidate may be appointed to serve until the end of the terms of office of the county superintendents]

Section 3 Section one thousand one hundred ten of said act is hereby repealed

Section 4 Sections one thousand one hundred twenty-one and one thousand one hundred twenty-two subsection (b) of section one thousand one hundred thirty-two and sections one thousand one hundred forty-six and one thousand two hundred eight of said act are hereby amended to read as follows

Section 1121 Contracts Execution Form In all school districts all contracts with professional employes shall be in writing in duplicate and shall be executed on behalf of the board of school directors by the president and secretary and signed by the professional employe

Each board of school directors in all school districts shall hereafter enter into contracts in writing with each professional employe who has satisfactorily completed two (2) years of service in any school district of this Commonwealth Said contracts shall contain only the following

"It is agreed by and between ..... Professional Employe and the Board of Directors (or Board of Public Education) of the school district of ....Pennsylvania that said professional employe shall under the authority of the said board and its successors and subject to the supervision and authority of the properly authorized superintendent of schools or supervising principal serve as a professionol employe in the said school district for a term of ..... months for an annual compensation of $ ..... payable monthly or semi-monthly during the school term or year less the contribution required by law to be paid to the Teachers' Retirement Fund and less other proper deductions for loss of time

"This contract is subject to the provisions of the 'Public School Code of 1949' and the amendments thereto

"And it is further agreed by the parties hereto that none of the provisions of this act may be waived either orally or in writing and that this contract shall continue in force year after year with the right of the board of school directors (or board of public education) to increase the compensation over the compensation herein stated from time to time as may be provided under the provisions and proper operation of the established salary schedule if any for the school district subject to the provisions of law without invalidating any other provision of this contract unless terminated by the professional employe by written resignation presented sixty (60) days before resignation becomes effective or by the board of school directors (or board of public education) by official written notice presented to the professional employe Provided That the said notice shall designate the cause for the termination and shall state that an opportunity to be heard shall be granted if the said professional employe within ten (10) days after receipt of the termination notice presents a written request for such hearing."

[All contracts with teachers shall contain a covenant providing for their payment in cases arising under the circumstances described in sections one thousand one hundred fifty-three (1153) and one thousand one hundred fifty-four (1154) of this act at the same rate as is specified for the time actually engaged in his occupation]

Section 1122 Causes for Termination of Contract The only valid causes for termination of a contract heretofore or hereafter entered into with a professional employe shall be immorality incompetency intemperance cruelty persistent negligence mental derangement advocation of or participating in un-American or subversive doctrines persistent and wilful violation of the school laws of this Commonwealth on the part of the professional employe Provided that boards of school directors may terminate the service of any professional employe who has attained to the age of sixty-two

Nothing within the foregoing enumeration of causes

shall be interpreted to conflict with the retirement of professional employes upon proper evidence of disability or the election by professional employes to retire during the period of voluntary retirement or the authority of the board of school directors to require professional employes to retire during said period of voluntary retirement or the compulsion on the part of professional employes to retire at the attainment of age [sixty-two] seventy

Section 1132 Appeals to Court

* * * * *

(b) When appeal is taken from the decision of the Superintendent of Public Instruction to the court of common pleas of the county in which the district is located the judge of the court of common pleas to whom such petition is presented shall fix a date for hearing by the court which shall be not sooner than ten (10) days nor more than twenty (20) days after the presentation of such petition If the professional employe aggrieved shall so request in his petition such hearing shall be de novo Upon the hearing of said petition the court shall make whatever order it considers just either affirming or reversing the action of the Superintendent of Public Instruction and stating plainly whether the professionol employe is to be discharged [refused reelection] or is to be retained

Section 1146 Part-time Teachers etc The minimum salary of all part-time teachers of children of exceptional physical or mental condition unable to attend regular public school or of part-time teachers supervisors and principals employed in the extension schools and evening vocational classes and classes of the Commonwealth established for the education of adults and legally employed minors [and not designated as continuation or other vocational schools or classes] shall be two dollars and fifty cents ($2.50) per hour

Section 1208 Summer Schools etc The State [Board] Council of Education shall provide for summer schools in State teachers' colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications prescribed herein or such further qualifications as may be desirable

Section 5 Section one thousand nine hundred thirty-six of said act is hereby repealed

Section 6 The subdivision heading preceding section one thousand three hundred forty-one of said act is hereby amended to read as follows

(c) Attendance Officers and Home and School Visitors

Section 7 Sections one thousand four hundred twenty-nine one thousand five hundred eleven and one thousand five hundred sixteen of said act are hereby amended to read as follows

Section 1429 School Nurses Cooperation with Political Subdivisions Any board of school directors or boards of school directors jointly shall employ one or more school nurses and shall define their duties All nurses so employed shall be graduates of accredited [training] schools for nurses certificated by the Department of Public Instruction as school nurses and shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work

Section 1511 Subjects of Instruction Flag Code In every elementary public and private school established and maintained in this Commonwealth the following subjects shall be taught in the English language and from English texts including spelling reading and writing arithmetic geography the history of the United States and of Pennsylvania civics including loyalty to the State and National Government safety education and the humane treatment of birds and animals health including physical [training] education and physiology music and art Other subjects shall be taught in the public elementary schools and also in the public high schools as may be designated or approved by the State [Board] Council of Education All such subjects except foreign languages shall be taught in the English language and from English texts Each school district shall provide and distribute to each pupil enrolled in the eighth grade of the public schools one illustrated copy of the National Flag Code and shall from time to time make available such copies as are necessary for replacements from year to year It shall be the duty of each teacher in the public schools to make such use of the code as may from time to time seem proper

Section 1516 Bible to Be Read in Public Schools At least ten verses from the Holy Bible shall be read or caused to be read without comment at the opening of each public school on each school day by the teacher in charge Provided That where any teacher has other teachers under and subject to direction then the teacher exercising such authority shall read the Holy Bible or cause it to be read as herein directed

If any school teacher whose duty it shall be to read the Holy Bible or cause it to be read shall fail or omit so to do said school teacher shall upon charges preferred for such failure or omission and proof of the same before the board of school directors of the school district be discharged

Section 9 Section one thousand five hundred twenty of said act is hereby repealed

Section 9 Clauses six seven nine and ten of section one thousand eight hundred one sections one thousand eight hundred five one thousand eight hundred six one thousand eight hundred seven one thousand eight hundred eight one thousand eight hundred nine and one thousand eight hundred ten the heading of article nineteen and section one thousand nine hundred three of said act are hereby amended to read as follows

Section 1801 Definitions The following words and phrases as used in this article shall unless a different meaning is plainly required by the context have the following meanings

* * * * *

(6) "Vocational [home economics] homemaking education" shall mean that form of vocational education which has for its controlling purpose the preparation of girls and women for useful employment as house daughters and homemakers engaged in the occupations and the management of the home

(7) "Vocational industrial vocational agricultural vocational distributive occupation or vocational [home economics] homemaking school or department" or "vocational school or department" shall mean a distinctive organization of courses pupils and teachers approved by the State Board for Vocational Education designed to give either vocational industrial vocational agricultural vocational distributive occupational or vocational [home economics] homemaking education as herein defined

* * * * *

(9) "Vocational evening class" in vocational [home economics] homemaking shall mean a class giving training in [homemaking] relation to the home to girls or women over fourteen years of age however they may be employed or engaged during the day

(10) "Vocational [home economics] homemaking school or department" shall mean a vocational school or department designed to develop on a vocational basis the capacity for useful employment as house daughters and homemakers in the occupations and management of the home

Section 1805 Instruction in [Principles and Practice of Arts] Theory and Practice In order that instruction in [the principles and the practice of arts] theory and practice may go on together vocational industrial vocational agricultural vocational [home economics] homemaking and vocational distributive occupational schools or departments may offer instruction in day part-time and evening classes Attendance upon such day evening or part-time classes shall be restricted to those over fourteen years of age

Section 1806 Administration by School Districts Any school district may through its board of school directors

(1) Establish and maintain vocational industrial vocational agricultural vocational [home economics] homemaking and vocational distributive occupational schools or departments

(2) Receive any donation made to the school district for the conduct of any vocational school or department

or vocational evening classes The donation shall be administered by or under the direction of the board of directors of the district to which it is made subject to the approval of the Superintendent of Public Instruction The board of school directors in any district shall not be obliged to accept any such donation unless it seems proper so to do

(3) Require a deposit fee of a sum not to exceed ten dollars ($10) from each person enrolling in evening vocational schools or classes Such deposit fee shall be returned at the close of each term of instruction to all persons so enrolled who have attended seventy-five per cent (75%) or more of the class sessions of the term and may be returned at any time because of death sickness or any other cause which the board may deem justifiable

(4) Acquire land for the purpose of an agricultural school and equip and maintain the same in a proper manner to be used in connection therewith

Section 1807 Joint Vocational Schools or Departments Two or more districts may as provided in article seventeen of this act through a joint school committee establish and maintain vocational industrial vocational agricultural vocational [home economics] homemaking or vocational distributive occupational schools or departments to be known as joint vocational schools or departments

Section 1808 Advisory Committees Local school boards and joint school committees administering approved vocational industrial vocational agricultural vocational [home economics] homemaking or vocational distributive occupational schools or departments may under a plan to be approved by the State Board for Vocational Education appoint an advisory committee composed of members representing local trades industries and occupations It shall be the duty of such a committee to counsel with the advise the local or joint board of trustees and other school officials having the management and supervision of such schools

Section 1809 Attendance in Other Districts and Other States Pupils from Other States (a) Any resident of any school district which does not maintain an approved vocational industrial vocational agricultural vocational [home economics] homemaking or vocational distributive occupational education school or department offering the type of training which he desires may make application to the board of school directors of any other district for admission to such school or department maintained by said board If the board refuses him admission he may apply to the State Board for Vocational Education for admission to such school or department The State Board for Vocational Education may approve or disapprove such application In making such decision the State Board for Vocational Education shall take into consideration the opportunities for free vocational training in the community in which the applicant resides the financial status of the community the age sex preparation aptitude and previous record of the applicant and all other relevant circumstances The decision of the State Board for Vocational Education shall be final

(b) Where any child of school age in any school district resides by the nearest traveled road three miles or more from the nearest vocational high school in any district in this Commonwealth such child unless proper free transportation is furnished to a suitable school in this Commonwealth may on request of his parents or legal guardian be assigned by the board of school directors to a more convenient school in another State Provided That the consent of the proper school officials in charge of such school in another State to such an arrangement is permitted by the laws of such State and is agreed to by such officials

(c) The school district in which the person resides who has been admitted as above provided to an approved vocational industrial vocational agricultural vocational [home economics] homemaking vocational high or vocational distributive occupational school or department maintained by another school district shall pay the high school charge provided for by this act If any school district neglects or refuses to pay for such tuition it shall be liable therefor in an action of contract to the school district or school districts maintaining the school which the pupil with the approval of the board attended

(d) The board of school directors in any school district in this Commonwealth situate adjacent to another state may admit to the vocational high school in such district pupils resident in such other state and may receive tuition for such pupils as in the case of pupils admitted from other districts in this Commonwealth

Section 1810 Approved Local or Joint Vocational Schools State Reimbursement Vocational industrial vocational agricultural vocational [home economics] homemaking and vocational distributive occupational school or departments shall so long as they are approved by the State Board for Vocational Education as to organization control location equipment courses of study qualificatins of teachers methods of instruction conditions of admission employment of pupils and expenditures of money constitute approved local or joint vocational schools School districts maintaining such approved local or joint vocational schools or departments shall receive reimbursement from the Commonwealth as provided for in this act and shall make such certificates to the Superintendent of Public Instruction as are required by article twenty-five of this act

Article XIX

Extension Education and Special Schools and Classes

Section 1903 When and Where Provided Eligibility Limitations Extension education shall be provided in school buildings at any time not in conflict with regular day-school activities as requested by such applicants and elsewhere at any hour during any day except Sunday or legal holidays which the board may deem advisable The board shall not be required to admit to said extension schools a person who is in actual full-time attendance at any public or private school during the day [Attendance at such classes by part-time pupils shall not be accepted in lieu of the compulsory part-time attendance required of such pupils] The board of directors may close any class of the extension schools when the average attendance for any month falls below ten

Section 10 Sections one thousand nine hundred twenty-two and one thousand nine hundred twenty-four of said act are hereby repealed

Section 11 Said act is hereby amended by adding after section two thousand five hundred thirteen thereof a new section to read as follows

Section 2513.1 Certificates of Expenditures for Vocational Schools On or before the tenth day of July of each year the school directors of each district shall present to the Superintendent of Public Instruction a statement of the amount expended during the school year previous to such first day of July for instruction in approved local or joint vocational industrial vocational homemaking vocational distributive occupational or vocational agricultural schools or departments On the basis of such a statement the Superintendent of Public Instruction as the executive officer of the State Board of Vocational Education shall pay any such school district and joint school districts such reimbursement for the previous school year as is provided for in this act

Section 12 The last paragraph of section two thousand seven hundred one of said act is hereby amended to read as follows

Section 2701 Specific Repeals The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

* * * * *

[The act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1427) entitled "An act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands and making an appropriation" absolutely] The act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 334) entitled "An act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorties created by or operating as agencies of

political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions" in so far as it applies to school districts

Section 13 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine except in so far as they affect school districts of the first class In so far as they affect school districts of the first class the provisions of this act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has not within said period of five (5) years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five (5) years after the date on which such write was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which such writ was issued or whenever any such years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within six (6) months after the effective date of this act file such tax or municipal claim or amend such claim so as to properly describe the property against which the claim is assessed or issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five (5) years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five (5) year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without armendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 709, as follows:

An Act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amendinging revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof three new clauses to read as follows

Section 925 Powers and Duties The county board of school directors in respect to school districts under the supervision of the county superintendent shall have power and its duty shall be

* * * * *

(11) To receive Federal State and local moneys and to expend the same to provide special services for school districts under the supervision of the county superintendent that may be authorized by the county convention of school directors

(12) To administer and supervise activities and services that have been authorized by the county convention of school directors

(13) To contract with other county boards of school directors and with school districts not under the jurisdiction of the county superintendent to provide services or supervisors School districts not under the jurisdiction of a county superintendent are hereby authorized to enter into such contracts with county boards of school directors

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 720, on third reading, entitled:

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served and providing for judicial review of orders of the Commission relating to such certificates and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 731, as follows:

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties alone or with district not under the county superintendent and for payment of salaries of such supervisors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 1052 Number of Supervisors of Special Education

* * * * *

In lieu of a part-time supervisor of special education in any county in which there are fewer than five hundred

fifty (550) teachers under the county superintendent there may be appointed pursuant to a majority vote of the county convention a full-time supervisor of special education either for the school districts of the county under the county superintendent alone or jointly with one or more school districts not under the county superintendent

Section 2 Sections one thousand sixty-six and one thousand sixty-seven of said act are hereby amended to read as follows

Section 1066 Minimum salaries payment all county superintendents assistant county superintendents and supervisors of special education shall be entitled to the following minimum annual salaries

(1) County superintendents in counties having a population of less than forty-five thousand (45,000) five thousand dollars ($5000)

(2) County superintendents in counties having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) five thousand five hundred dollars ($5500)

(3) County superintendents in counties having a population of one hundred fifty thousand (150,000) or more than six thousand dollars ($6000)

(4) Assistant county superintendents in all counties four thousand five hundred dollars ($4500)

(5) County supervisors of special education in all counties four thousand five hundred dollars ($4500)

The foregoing salaries shall be paid by the Commonwealth from appropriations made for this purpose or from the appropriations for the public schools except in the case of a full-time supervisor of special education appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent either for the school districts under the county superintendent alone or jointly with one or more other school districts in which case the Commonwealth shall pay a fractional part of the minimum salary equal to the number of teachers under the county superintendent divided by five hundred fifty (550) the balance of such minimum salary shall if the services of the supervisor of special education so appointed is shared with one or more districts not under the county superintendent be paid by such district or districts otherwise the same shall be apportioned among and be paid by the several districts under the county superintendent in the manner provided in section one thousand sixty-seven of the act to which this is an amendment

Section 1067 Additional salaries payment a convention of school directors assembled for the purpose of electing a county superintendent or for the purpose of determining his salary the salary of any assistant superintendent or supervisor of special education may vote any of said employe a salary greater than the amount such person would receive under the foregoing section all such increases shall be paid in all cases out of the school appropriation apportioned to the school districts over which the county superintendent has supervision before the same is distributed except where a full-time supervisor of special education is appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent jointly with one or more districts not under the county superintendent in which case the district or districts not under the county superintendent shall pay their proportionate parts of such increase a convention of school directors for the purpose of voting such salaries may be called at any time by the county superintendent the salaries of county superintendents assistant county superintendents and supervisors of special education shall be paid monthly

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 748, as follows:

An Act to amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by extending the power and duties of the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" is hereby amended to read as follows

Section 4 The commissioners of the said park after they shall have secured possession of the said grounds shall adopt plans for the improvement preservation beautification and maintenance thereof and shall have power and it shall be their duty to carry the same into execution including the maintenance of the wild flower preserve on the land known as Bowman's Hill in the said park and all moneys expended shall be under their supervision but no contracts shall be made for said improvement unless an appropriation therefor shall have been first made by the Legislature

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,

Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 756, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded fire arms and loose ammunition.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears nine.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 806), page 3, line 16, by inserting after the word "Contained" the following: "except during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 756 on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 760, as follows:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2063) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits certain debts and interest on certain debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owning by life insurance companies doing business in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2 and 3 of the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2063) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits certain debts and interest on certain debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties" are hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Company" The word company shall include limited partnerships and unincorporated associations joint-stock associations public utility corporations insurance exchanges associations or corporations and any company or corporation incorporated and doing business under the laws of this Commonwealth except life insurance companies doing business in this Commonwealth except mutual savings fund societies and building and loan associations and except banks national banks bank and trust companies trust companies and other corporations associations partnerships limited partnerships and partnership associations engaged in the business of receiving money on deposit or securities or other property for safekeeping

"Creditor" The word creditor shall include any person who has made deposits or advances of money or to whom dividends or profits have been declared or to whom debts and interest on debts have been owed or to whom the proceeds of any policy of insurance are due and payable

"Debt" The word debt shall include only such debts as are formally created and of the type ownership to which is evidenced by written or printed securities having definite maturities interest rates places and times of payment such as mortgages bonds notes equipment-trust certificates and debentures

"Department" The Department of Revenue of this Commonwealth

"Person" Any natural person association or corporation

"Property" The word property shall include property and the profits accretions and any interest or rights accrued or declared thereon

The singular shall include the plural and the masculine shall include the feminine and neuter Section headings shall not be deemed or construed to limit the text of the section of this act

Section 3 Reports (a) In the month of January of each year reports shall be made to the department as follows

(1) Every company shall make a report of all dividends or profits declared by it to any stockholder or member and unclaimed for six or more successive years next preceding the first day of said month where funds have been provided by the company for the payment of said dividends or profits and of all debts and interest on debts due by it to any creditor for the payment of which debts or interest thereon funds have been provided by the company where said payments have been unclaimed for six or more successive years next preceding the first day of said month

(2) Every company shall make a report of any and all customers advances tolls or deposits held by it and under the terms of the deposit agreement due and owing to the person or company depositing the same and unclaimed by said person or company for six (6) or more successive years next preceding the first day of said month

(3) Every company shall make a report of the proceeds of any policy of [life] casualty indemnity or fire insurance awaiting due proof for payment or the surrender values of policies which have been surrendered by the policyholder or insured or have been surrendered or ar surrenderable at the option of the insurer under the contractual agreement between the insurer and the insured or the portions of premiums held to the credit of any policyholder and any profits dividends or accretions thereof which have been held and are owing by any company as hereinabove defined and have been unclaimed by and unpaid to the lawful owner thereof or to the person or persons legally entitled thereto for seven or more successive years next preceding the first day of said month

(4) (a) Every company shall make a report of any and all stock or certificates of beneficial interest of whatsoever nature issued by or authorized to be issued by such company which have been demandable and have been and remain unclaimed by the person legally entitled thereto for six or more successive years next preceding the first day of said month

(b) The said period of six or seven years as the case may be shall be computed from the date when the moneys or property required to be reported under the provisions of this act first became due and payable to or became demandable by the person legally entitled thereto and said period shall not be affected terminated renewed or extended in any way by a transfer or delivery of possession of such moneys or property or an assignment of title or interest to such moneys or property by any company to any other company whatsoever

(c) Every report required by this section shall show the names and addresses of said stockholders members or creditors and the names and addresses of the depositors of said moneys or property or the names and addresses of the persons entitled to demand the said stock or the proceeds surrender values or premiums of said policies of insurance so far as known and if any such facts be not known it shall be so stated and such facts or particulars as are known shall be stated Such reports shall contain such other information as is required by the department and shall be verified by affidavit of the persons making the same and in the case of a corporation or other person not a natural person shall be made and verified by affidavit of the treasurer or chief fiscal officer thereof said affidavit to declare that the report is true and contains all facts required by law to be reported

Section 2 Effective Date This act shall take effect January 1 1950

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 761, as follows:

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Title This act shall be known as the "Unclaimed Funds Act for Life Insurance Companies"

Section 2 Scope This act shall apply to all unclaimed funds as hereinafter defined of any life insurance company doing business in this Commonwealth where the last known address according to the records of such company of the person entitled to such funds is within this Commonwealth provided that if a person other than the insured shall be entitled to such funds and no address of such person is known to such company or if it be not definite and certain from the records of such company what person is entitled to such funds then in either event it shall be presumed for the purposes of this act that the last known address of the person entitled to such funds is the same as the last known address of the insured according to the records of such company

Section 3 Definitions The term "unclaimed funds" as used in this act shall mean and include all monies held

and owing by any life insurance company doing business in this Commonwealth which shall have remained unclaimed and unpaid for seven years or more after it is established from the records of such company that such monies became due and payable under any life or endowment insurance policy or annuity contract which has matured or terminated but shall not include amounts of less than five dollars ($5) which on the effective date of this act shall have been unclaimed and unpaid for more than ten years A life insurance policy not matured by actual proof of the prior death of the insured shall be deemed to be matured and the proceeds thereof shall be deemed to be "due and payable" within the meaning of this act if such policy is still in force when the insured shall have attained the limiting age under the mortality table on which the reserve is based Monies otherwise admittedly due and payable shall be deemed to be "held and owing" within the meaning of this act although the policy or contract shall not have been surrendered as required "Department" shall mean the Department of Revenue of this Commonwealth

Section 4 Reports Every such life insurance company shall on or before the first day of April of each year make a report in writing to the department to all unclaimed funds as hereinbefore defined held and owing by it on the 31st day of December next preceding Such report shall be signed and sworn to by an officer of such company and shall set forth (1) in alphabetical order the full name of each insured his last known address according to the company's records and the policy numbers (2) the amount appearing from the company's records to be due on each policy (3) the date such unclaimed funds became payable (4) the name and last known address of each beneficiary or other person who according to the company's records may have an interest in such unclaimed funds and (5) such other identifying information as the department may require.

Section 5 Notice and Publication

(a) When the proceeds of any policy of life insurance or annuity contract shall be first reported to the department the department shall notify the persons entitled thereto of such fact by mail so far as possible and shall publish once a week for two weeks during the month of July in each year in one or more general newspapers in each county of this Commonwealth in which is located the last known address of each person appearing to be entitled to such funds a true and accurate statement containing the names addresses and amounts of money owing to such person or for whose benefit the same is held

(b) The department if it deems it to the best interest of the Commonwealth may make such publication in a legal periodical designated by rules of court for the publication of legal notices in addition to publication in a general newspaper

(c) It shall not be obligatory upon the department to publish any item of the above described monies where the amount involved is less than fifty dollars ($50) but publication of any such item may be made if the department thinks such publication is in the best interest of the Commonwealth

Section 6 Payment to Department of Revenue All unclaimed funds contained in the report required to be filed by Section 4 of this act excepting those which have ceased to be unclaimed funds since the date of such report shall be paid over to the department on or before the following November 1st

The department shall have the power for cause shown to extend for a period of not more than one year the time within which a life insurance company shall file any report and in such event the time for publication and payment required by this act shall be extended for a like period

Section 7 Custody of unclaimed funds in Commonwealth insurers indemnified Upon payment of such unclaimed funds to the department the Commonwealth shall assume for the benefit of those entitled to receive the same and for the safety of the money so paid the custody of such unclaimed funds and the life insurance company making such payment shall immediately and thereafter be relieved of and held harmless by the Commonwealth from any and all liability for any claim or claims which exist at such time with reference to such unclaimed funds or which thereafter may be made or may come into existence on account of or in respect to any such unclaimed funds

Section 8 Refunds

(a) Any person legally entitled to any monies which have been paid to the department may at any time apply to the Board of Finance and Revenue for a refund of the same and upon his making proof to the satisfaction of the Board of (1) ownership or right of possession and (2) that such person shall not have made claim for or received such monies from the life insurance company under whose policy or policies they were due and payable such monies shall be paid to such person on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose with interest thereon at the rate of two per centum per annum from the date when the said monies were paid to the department to the date of refund thereof

(b) Any life insurance company which has paid to the department monies deemed unclaimed funds pursuant to the provisions of this act may make payment to any person appearing to such company to be entitled thereto and upon proof of such payment and proof of the payee's ownership or right to possession to the satisfaction of the Board of Finance and Revenue such monies shall be paid to such life insurance company on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose or if the monies so appropriated are inadequate or if no such appropriation has been made the amount to be refunded shall be entered by the department as a credit to the account of the claimant Such credit or any part thereof shall be assignable to any other person firm association or corporation and may be used by any such assignee in payment and satisfaction of any obligation or liability then or thereafter due by such assignee to the Commonwealth of Pennsylvania

(c) Any claimant for any such refund of money under either subsection (a) or (b) of this section may appeal by petition to the court of common pleas of Dauphin County from an adverse decision of the Board of Finance and Revenue which court shall thereupon hear such testmony as may be offered in support of the claim and determine whether or not the claimant is entitled to any refund of money and if so the amount thereof or the nature or character thereof If the court find that he is so entitled it shall report its findings to the Board and order the making of a refund of the proper amount of money Thereupon the refund shall be made in the manner hereinbefore provided No such appeal shall be entertained however unless the claimant shall file with his petition an affidavit that all proof which he proposes to offer in support of the claim had been presented to the Board of Finance and Revenue before that Board acted adversely upon his claim

(d) An appeal may be taken by either party from the judgment of the court of common pleas of Dauphin County in any action arising under the provisions of paragraph (c) of this section as in other cases

Section 9 Records required The department shall keep in its office a public record of each payment of unclaimed funds received by it from any life insurance company Such record shall show in alphabetical order the name and last address of each insured and of each beneficiary or other person who according to the company's reports may have an interest in such unclaimed funds and with respect to each policy its number the name of the company and the amount due

Section 10 Payments to other states This act shall not apply to or affect any unclaimed funds which have been paid to another state or jurisdiction prior to the effective date hereof

Section 11 Other acts not applicable No other statute of this Commonwealth now in force relating to escheat or payment into the State Treasury without escheat of unclaimed funds of life insurance companies shall apply to any unclaimed funds covered by this act nor shall any such statute hereafter enacted so apply unless specifically made applicable by its provisions

Section 12 Penalties Failure to make reports false oath in report

(a) If it shall appear that any company has wilfully failed at any time to make any report required under the provisions of this act such company shall be liable to pay to the Commonwealth interest at the rate of twelve per centum per annum from the time such report should first have been made to be computed upon the value of said reportable items as finally established in any proceedings under the provisions of this act and to be recovered in such proceedings

(b) The making of a wilful false oath in any report required under the provisions of this act shall be perjury and punishable as such according to law If any officer or employe of any company required to make a report under the provisions of this act shall wilfully fail to make such report when and as required by this act he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars ($1000) or imprisonment not exceeding three months either or both in the discretion of the court

Section 13 Bar of statutes of limitation The bar of statutes of limitation and presumptions of payment shall not affect the duty of making reports and payments to the Commonwealth under the provisions of this act

Section 14 Effective date This act shall take effect January 1 1950

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrnce.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, as follows:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporations companies banks trust companies insurance companies limited partnerships and partnerships associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" as amended by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporation companies banks trust companies insurance companies limited partnerships and partnership associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" and as amended by the act approved the sixth day of July 1917 (P. L. 725) and as further amended by the act approved the twenty-first day of April 1921 (P. L. 223) is hereby further amended to read as follows

Section 11 The word "debtor" in this act shall include persons copartnerships asociations banks national banks trust companies and other corporations who or which have received deposits of money declared dividends or profits or owed debts or interest on debts and trustees guardians committees executors administrators asignees receivers or other persons or corporations who have received and hold moneys in any fiduciary capacity whatsoever or continue to hold the same or any portion or increment thereof after the termination of the fiduciary relation and shall also include officers of courts holding funds escheatable under he provisions of this act

The word "creditor" 'in this act shall include persons as hereinafter defined who have made deposits of money persons to whom dividends or profit have been declared persons to whom debts and interest on debts are or have been owed or to whom property in storage or safe-keeping belongs and cestuis que trustent and beneficial owners of any property money or estate or of the profits accretions and interest thereon as hereinafter in this section defined held by any debtor as above described

The word "person" in this act shall include every person persons copartnership and unincorporated association and every company corporation bank national bank safe-deposit company trust company insurance company other than a life insurance company doing business in this Commonwealth joint-stock company or association limited partnership and partnership association doing business within this Commonwealth.

The words "property" "moneys" "estate" or "estates" in this act shall include the profits accretions and interest thereon as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property money or estate by the award of any court and the actual distribution thereof or at any other time and the owner of such property money or estate shall be deemed entitled to demand such profits accretions and interest for the purposes of this act notwithstanding such

award and notwithstanding any settlement with or release by him

The provisions of this act shall not apply to the unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

Section 2 This act shall take effect January 1 1950

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the afirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 764, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of election officials in counties of the first and second classes and changing the requirements for delivery of voting machine keys for the preparation of duplicate return sheets in certain cases for the payment of certain campaign expenses for the filing of expense accounts and the delivery of blanks therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth court county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 412 Compensation of election officers (a) in counties of the first and second classes the compensation of judges of election shall be [fifteen ($15.00) dollars] twenty dollars ($20.00) and the compensation of inspectors clerks and machine inspectors shall be [ten ($10.00) dollars] fifteen dollars ($15.00) for each primary and election

Section 2 Subsection (c) of section four hundred twelve of said act as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 194) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(c) for transmitting returns of primaries and elections and the ballot box or boxes all judges of election shall be entitled to receive the additional sum of two dollars and fifty cents ($2.50) and except in counties of the first class shall also be entitled to receive five cents ($.05) per mile for mileage as full compensation for said services

Section 3 Subsection (d) of section four hundred twelve of said act as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1059) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(d) For transmitting the ballot box or boxes together with the judge of election as herein provided the minority inspector of election shall be entitled to an additional sum of two dollars and fifty cents ($2.50) in counties of the first class and in all other counties the additional sum of three dollars and fifty cents ($3.50) as full compensation for said services

Section 4 Section one thousand one hundred fourteen and subsection (b) of section one thousand two hundred twenty-seven of said act are hereby amended to read as follows

Section 1114 Delivery of Voting Machine Keys to Judge of Election

(a) The county election board shall deliver the keys which unlock the operating mechanism and the registering counters or counter compartment of the voting machine to the judge of election not earlier than [noon of] the Saturday preceding an election not later than three-quarters of an hour before the time set for the opening of the polls and shall take his receipt therefor The keys shall be enclosed in a sealed envelope on which shall be written or printed (1) the number of the voting machine (2) the name or designation of the election district (3) the number of the seal (4) the number registered on the protective counter or device as reported by the custodian Provided however That if the type of voting machine used requires the simultaneous use of three keys to unlock the registering counters or counter compartment only two of said keys shall be enclosed in said sealed envelope the third key being retained by the custodian the county election board or such other person as they shall have authorized

(b) No election officer shall open an envelope so delivered until the minority inspector shall be present in the polling place and shall have examined the envelope to see that it has not been opened

Section 1227 Canvass and Return of Votes in Districts in Which Voting Machines are Used

* * * * *

(b) The vote as registered shall be entered by the election officers in ink on duplicate return sheets and also on a general return sheet and statement all of which after the canvass is completed shall be signed by the election officers the clerk and certified by the overseers if any If any election officer clerk or overseer shall refuse to sign or certify the general or duplicate return sheets or statement he shall write his reasons therefor upon said sheets The vote for presidential electors shall be computed and returned as provided hereinbefore in section 1215 of this act If more than one voting machine is used in any election district the vote registered on each machine shall be ascertained in like manner and separately entered in appropriate spaces on the general and duplicate return sheets and statement The total vote cast for each candidate and for and against each question shall then be computed and entered on the general and duplicate return sheets and statement There shall also be entered on the general return sheet and statement the number of voters

who have voted as shown by the numbered lists of voters district register and voting check list and the number on each machine as shown by the public counters and also the number registered on the protective counter or device on each machine immediately prior to the opening of the polls and immediately after the closing thereof and sealing of the machine The number or other designation of each machine used shall also be entered thereon In the case of primary elections duplicate return sheets shall be prepared [for each party] as for other elections The registering counters of the voting machine or the paper proof sheets as the case may be shall remain exposed to view until the said returns and all other reports have been fully completed and checked by the inspectors clerk and overseers if any During such time any candidate or duly accredited watcher who may desire to be present shall be admitted to the polling place

Section 5 Sections one thousand six hundred four and one thousand six hundred seven of said act as amended by the act approved the third day of June one thousand nine hundred forty-three (P. L. 851) are hereby further amended to read as follows

Section 1604 Contributions by Agent Vouchers Payment of Petty Expenses

(a) It shall be unlawful for any person to make any contribution for primary or election expenses with funds designated or given to him for the purpose by any other person firm or corporation Each person making a contribution for primary or election expenses shall do so only in his own name

(b) Every payment made by a candidate or treasurer of a political committee for or in respect to any primary or election expenses amounting to more than ten dollars shall be vouched for by a bill stating the payment and by a receipt and shall be made [by check or money order drawn to the order of] to the individual association or corporation to whom the payment is due

(c) Any person may if so authorized in writing by a candidate pay in behalf of the candidate the necessary expenses of the candidate for stationery postage telegraph telephone and public messenger services and traveling expenses including carfare gasoline hotel bills and other petty expenses Each person so authorized shall be reimbursed by the candidate or by a treasurer of a political committee supporting his candidacy for the amount so paid upon the submission of a sworn statement of the payment or payments made by him which shall be vouched for by a bill containing the receipt of that person

Section 1607 Expense Accounts to Be Filed

(a) Every candidate for nomination or election and every treasurer of a palitical committee or person acting as such treasurer shall within thirty days after every primary and election at which such candidate was voted for or with which such political committee was concerned if the amount received or expended or liabilities incurred shall exceed the sum of one hundred fifty dollars file a full true and detailed account subscribed and sworn to by him setting forth each and every sum of money received contributed or disbursed by him for primary or election expenses the date of each receipt contribution and disbursement the name of the person from whom received or to whom paid and the specific object or purpose for which the same was disbursed Such account shall also set forth the unpaid debts and liabilities of any such candidate or committee for primary or election expenses with the nature and amount of each and to whom owing In the case of the treasurer of a political committee the account shall include any unexpended balance of contributions or other receipts appearing from the last previous account filed by him In the case of candidates for election who have previously filed accounts of their primary expenses as candidates for nomination the accounts shall only include receipts contributions and disbursements subsequent to the date of such prior accounts

(b) If the aggregate receipts or disbursements and liabilities of a candidate or a political committee in connection with any primary or election shall not exceed one hundred fifty dollars the candidate or treasurer of the committee as the case may be shall within thirty days after the primary or election certify that fact under oath to the officer or board with whom expense accounts are required to be filed as hereinafter provided Provided however That if a candidate or political committee does not receive any contributions or make any disbursements or incur any liabilities he or it shall not be required to file any account or to make any affidavit but such candidate or political committee shall be deemed for all purposes of this act to have filed an expense account showing no receipts disbursements or liabilities for primary or election expenses

(c) Every expense account filed under the provisions of this section shall be accompanied by vouchers for all sums expended amounting to more than ten ($10) dollars It shall be unlawful for any candidate agent or treasurer to disburse any money received from any anonymous source

Section 6 Section one thousand six hundred thirteen of said act is hereby amended to read as follows

Section 1613 Secretary of the Commonwealth to Supply Forms of Expense Account The Secretary of the Commonwealth shall prescribe the form of blanks suitable for the accounts and affidavits required by this act It shall be the duty of the Secretary of the Commonwealth to transmit to each candidate for nomination or election to the office of presidential elector United States Senator Representative in Congress and every State office including senators representatives and judges of courts of record whose nomination petitions certificates or papers have been filed in his office or who appear by the returns of any primary to have been nominated thereat a sufficient quantity of such blanks He shall also transmit a sufficient quantity of such blanks to the treasurer of the State committee of each political party and political body and of every other State-wide political committee of which he has knowledge prior to each election. It shall be the duty of the county boards of elections to [transmit] furnish to the candidates for nomination and election to all other offices whose nomination petitions certificates or papers have been filed in their offices or who appear by the returns of any primary to have been nominated thereat a sufficient quantity of such blanks upon application therefor They shall also [transmit] furnish a sufficient quantity of such blanks to the treasurer of the county committee of each political party and political body in the county and to the treasurer of any other political committee within the county of which they have knowledge Such blanks shall also be furnished to any person required to file an account upon application therefor

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nay were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the afirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 783, on third reading, entitled:

An Act to amend clause (6) of section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by further defining the term physical restoration.

be recommitted to the Committee on Labor and Industry.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 786, as follows:

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries by regulating the take or catch thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Declaration of Policy It is hereby declared that since fish at large in the waters of this State are a natural resource that protection and conservation of this resource in the public interest in the obligation of the State

It is hereby further declared that the shad which inhabit the waters of the Delaware River system constitute a potentially valuable source of food and raw materials and under proper management are capable of producing a constant and abundant harvest without depletion of the species and consequent shortages of supply that the important shad fishery of the Delaware River has been depleted so that the actual harvest is far below the potential yield of this resource which at one time yielded as much as 16,000,000 fish yearly but in recent years has yielded only a few hundred thousand pounds that this depletion has caused a denial to the consuming public of a constant and adequate supply of these vitamin rich foods within a reasonable price range that consistent and abundant supply would make possible and has caused decline and instability in the fishing industry in this river system and that the restoration of this species in the Delaware River has become an enterprise of vast economic importance to the State

It is therefore declared to be the policy of this State that it is a matter of public interest and for the public welfare and health for the State to take such measures as are necessary to control the intensity of fishing pressure in order that the restoration of this valuable species may be accomplished and that the species may attain the maximum sustained yield consistent with the preservation of an adequate brood stock It is further declared that legislative limitation of the size of the mesh of nets size limits and other like measures are not effective in conserving this species

In accordance with the purposes of the Atlantic States Marine Fisheries Compact to which this State is a party and in order to carry out the policy of the State as it relates to the shad inhabiting the waters of the Delaware River and in order to restore this depleted fishery it is declared necessary proper and expedient to establish a system of licensing designed to control increase in the intensity of fishing pressure so that increases in fishing pressure will be brought into balance with the population of shad in the Delaware to the end that the shad fisheries of the waters of the Delaware River and its tributaries shall be restored and shall produce the maximum sustained yield consistent with the conservation of that species It is further declared that since the stabilization of fishing operations has been herein declared an activity promoting the public interest the payment of license fees and the imposing and controlling of the restrictive provisions of this act upon the general public is an equitable contribution on its part arising from the privileges of harvesting this natural resource

Section 2 Permitted Gear The use of any net or device other than those set forth below for the catching of shad in Delaware River and Delaware Bay and their tributaries is prohibited

For the purpose of regulating the shad fishery of the Delaware Bay and River and tributaries of both all that part of the river and its tributaries above a line drawn from the monument on the Delaware shore at or near Listons Point and the corresponding monument at or near the mouth of New Hope Creek on the New Jersey shore as established by the Commissioners of the States of New Jersey and Delaware under the Compact of 1905 and subsequent enabling legislation of the two States shall be deemed to be the Delaware River and all the waters of the Delaware Bay south of such line and the tributaries emptying therein down to a line connecting the Harbor of Refuge Light at Cape Henlopen Delaware with the lighthouse at Cape May New Jersey shall be deemed to be the Delaware Bay

A Gear Permitted in Delaware Bay and Tributaries

(1) Haul Seines Not less than five and one-fourth (5¼) inches stretched mesh while being fished and not to exceed four hundred twenty (420) feet in length whether singly or attached

(2) Fyke or Hoop Nets With leaders not exceeding one hundred eighty (180) feet in length and no part of the net or leaders to be less than two and one-half (2½) inches stretched mesh while being fished

(3) Stake Gill Nets either Staked or Anchored The smallest stretched mesh shall be three (3) inches while being fished and shall not exceed one hundred eighty (180) feet in length but a shad net with minimum stretched mesh of five and one-fourth (5¼) inches while being fished may exceed one hundred eighty (180) feet but may not be greater than three hundred (300) feet in length

(4) Drift Gill Nets (run around or stab nets) The smallest mesh of which shall be two and three-fourths (2¾) inches stretched while being fished the length of which shall not exceed one thousand two hundred (1200) feet

(5) Hand line including rod and reel

B Gear Permitted in Delaware River and Tributaries All of the gear enumerated above as permitted in paragraph A

Section 3 Season and Lift Period The taking of shad in the Delaware River and Bay and their tributaries except between March first and June tenth of each year is hereby prohibited During this season when shad may be caught it shall be unlawful for any nets to be in operation between two o'clock post meridian on Saturday and midnight Sunday of each week

Section 4 Licensed Gear and Operations The Pennsylvania Board of Fish Commissioners hereinafter referred to as the "Board" begininng January first one thousand nine hundred fifty shall by a special shad

license permit the use in the waters of the Delaware River and Bay and their tributaries within this State of the nets specified in section two for the taking of shad No person shall use any such net to take shad in these waters without first procuring a shad license from the board

All shad licenses shall be issued for the duration of a fishing season beginning on March first and expiring on June tenth of the same year and shall be renewable annually for the same period except as provided herein

Section 5 Eligibility for License The Pennsylvania Board of Fish Commissioners shall annually issue shad licenses to operate such permitted nets in the waters of the Delaware River and Bay and their tributaries to all persons making applications for the same and paying the fees required therefor provided that (a) no license shall be granted to a person not engaged in such operations during the season immediately preceding that for which application for such shad license is made except as hereinafter provided and except as to the issuance of shad licenses for that season beginning March first one thousand nine hundred fifty a shad license shall be granted to any person making application therefor who was engaged in such fishing operations for four or more of the last ten years immediately prior to the enactment of this section (b) no licenses shall be granted to authorize any applicant to extend his operation beyond those of the last year in which those operations were carried on either by increasing the fishing capacity or the size or number of units of gear employed at that time except as provided hereinafter

Section 6 Granting of Additional Licenses When the United States Fish and Wildlife Service shall certify that the catch of shad in the Delaware River and Bay and their tributaries for the preceding year totals five hundred thousand fish the Commissioner of Fisheries of the State of Pennsylvania hereinafter referred to as "Commissioner" shall consult with the pertinent administrative and other officials of the States of New York New Jersey and Delaware constituting the Middle Atlantic Section of Atlantic States Marine Fisheries Commission and with their technical advisers of the United States Fish and Wildlife Service and after such consultation and on the basis of all the scientific evidence available to him through these and other sources if he shall find that a limited number of additional operators or increased units of gear may be licensed for the following season without impairing the annual yield of the fishery he may authorize additional licenses

In determining the number of additional licenses the commissioner shall give due consideration to the findings of the United States Fish and Wildlife Service He may enter into such administrative agreements with the pertinent administrative officials of any of the other States above enumerated as may be necessary to establish a joint limitation of licenses and such cooperative programs as may be deemed necessary for the reestablishment of the shad fishery of the Delaware River and Bay and their tributaries in such manner as to promote the maximum sustained annual yield therefrom

When additional units of gear are to be licensed the commissioner shall give public notice by advertisement once a week for two successive weeks in a least two daily newspapers of the counties of the State bordering on the Delaware River of the additional units of gear to be licensed and the areas where the same may operate and shall state that applications may be received up to the first day of January next succeeding the publication of the notice. The Commissioner of Fisheries may decline to receive any application for such an additional license when after due notice and opportunity of hearing he shall find that the applicant is not qualified by character experience financial responsibility and equipment to conduct properly the fishing operation applied for or when after due notice and hearing he shall find that it is necessary in order to maintain the stability of the industry or prevent conditions leading to monopoly to prefer the applications of new operators over the extension of the operatlons of previous licenses or in the licensing of extended operations to prefer small operators over large On January first of each year the board shall issue such additional licenses as may be authorized for that year under the provisions of this section the recipients of such licenses and the locations of fixed nets to be chosen by lot from among the applications received whenever there are more applicants than available licenses or more than one applicant for any location

Section 7 Location of Nets The commissioner shall not grant a license to any person to operate a fixed net on the location already occupied by another licensee or within fifteen hundred (1500) feet thereof measured at right angles to the line of stakes unless such other licensee shall have failed to apply for renewal of his license on or before January first of the year for which such license is to be granted

Section 8 Withdrawal of Licenses When the United States Fish and Wildlife Service shall certify on the basis of scientific evidence that the catch of shad in the Delaware River and Bay and their tributaries has declined one hundred thousand fish or more under the previous year's catch in such waters and that there is evidence of prospective depletion of when the commissioner after investigation and on the basis of scientific evidence shall find that the fishery is threatened by depletion or that the fishing rate is too high to permit the continuance of a constant annual yield or that present exploitation threatens the future maximum yield of that fishery he shall provide for the withdrawal in the following season of some or all of the licenses previously issued In this connection he may enter into administrative agreements with the pertinent administrative officials of the other States above mentioned for the purpose of arranging a joint reduction of units of gear

When units of gear are to be reduced the commissioner shall give public notice in the manner set forth in section six of intention to do so and of the number and character of units of gear to be withdrawn and from which areas In affecting a reduction of fiishing effort under the provisions of this paragraph the commissioner shall withdraw shad licenses to be affected in the inverse order in which such shad licenses were issued except that if reduction of fishing intensity is sought with respect to a particular area or a particular operation license withdrawals shall be in the inverse order in which such lilcenses were issued for that area or operation In all instances where this procedure cannot be followed resort shall be had to lots

Section 9 Shad License Identification All shad licenses shall list specifically the number and type of units of gear or the length of gear authorized and the area in which they are licensed to operate if the operations authorized are so limited as to area

Section 10 Renewal of Licenses A shad licensee who does not engage in any or some of the fishing operations licensed may renew his license for such operations in the following season but if he fails to engage in some or all of the operations licensed for two successive seasons he shall lose his right to renew and must apply for any further license as a new applicant with respect to those operations licensed but not engaged in

Section 11 Interstate Cooperation The commissioner is authorized and directed to meet and confer with the pertinent officials of the States of New York New Jersey Pennsylvania and Delaware constituting the Middle Atlantic Section of the Atlantic States Marine Fisheries Commission and to enter into such agreements with respect to the coordination of research enforcement or any other operations or facilities as may be necessary to secure joint management of the shad fishery of the Delaware River and Bay and their tributaries

Section 12 Reports Each shad licensee shall keep a daily record of his catch on forms provided by the

board and shall provide a copy of his record for the board at weekly intervals during the fiishing season

Section 13 Transfer of Shad Licenses Any shad lilcense to operate any nets permitted under this act may be transferred whenever the ower of the nets boats gear and other equipment shall sell or convey the same by bill of sale for a bona fide consideration to any person who is eligible under the provisions of this act Such transfer shall be made only upon surrender of the outstanding shad license and the execution of an application by the new owner or owners as in the case of an original application and the payment of the sum of two dollars and fifty cents ($2.50) as a transfer fee whereupon the board shall issue a new shad license for the remainder of the license season

Section 14 Suspension Revocation Penalty The board after due notice and hearing may suspend for a suitable period the shad license of any person who shall be found by them to have

(1) Made a false statement in the application for a license

(2) Violated any shad regulation contained in this act or have

(3) Failed to make required shad reports

For a second infraction the board may after due notice and hearing revoke the shad license of the offender

Such hearing shall be conducted and the decision of the board on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (P. L. 1388) relating to adjudication

Any applicant or licensee aggrieved by any adjudication of the board shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth Such appeal shall not act as a supersedeas but the licensee may continue to fish for shad up to the date of the final decision of the court without being held to have violated the provisions of this act

Any person violating the provisions of this act is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment for a term not exceeding sixty (60) days or both

Section 15 License Fees The board is authorized to issue the following shad fishing licenses which shall be valid only during the shad fishing season for which issued as provided in this act upon written application therefore signed by the applicant and upon payment to said board of the following fees

Commercial Shad Fishing License $10.00
Non-Commercial Shad Fishing License under which applicant is not permitted to catch more than ten shad in any one day .....$ 1.00

Section 16 In the event that the United States Fish and Wildlife Service shall be renamed or reorganized the succeeding agency of the United States Government charged with the conservation of fisheries shall be called upon for the purposes of this act

Section 17 The provisions of this act shall become effective on the first day of December one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 794, as follows:

An Act to further amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation thereof" by exempting from necessity of net being marked thereon packages of bakery products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 708) is hereby further amended to read as follows

Section 7 No person shall distribute or sell or have in his possession with intent to distribute or sell any commodity in package form unless the net quantity of the contents shall be plainly and conspicuously marked on the outside of the package in terms of weight measure or numerical count Provided however That reasonable variations shall be permitted and tolerances may be established by rules and regulations made by the department Before any tolerances are granted producers and manufacturers of commodities must make written application for a tolerance to the department and must furnish proof that the use value of the commodity will not be affected by the granting of the tolerance Exempt from marking as to net content contained shall be

(a) All packages sold as liquid commodities containing less than one (1) ounce liquid measure and selling for five (5) cents or less

(b) All packages sold as dry commodities containing less than one (1) ounce avoirdupois and selling for five (5) cents or less

(c) All bakery products of whatsoever nature and form shall be exempt from the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS 49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
DiSilvestro,	Lord,	Snowden,	Wolfe,
Doehla,	Mahany,	Stevenson,	Wood, L. H.,
Donlan,	Mallery,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 797, as follows:

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended in part by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 194) and the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1059)' is hereby amended to read as follows

Section 412 Compensation of Election Officers (a) In counties of the first and second classes the compensation of judges of election shall be fifteen ($15.00) dollars and the compensation of inspectors clerks and machine inspectors shall be ten ($10.00) dollars for each primary and election

(b) In counties of the third fourth fifth sixth seventh and eighth classes the [minimum] compensation of judges inspectors clerks and machine inspectors in districts using voting machines shall be [six dollars ($6) and for the clerks the minimum compensation shall be five dollars ($5)] fixed by the county board of elections of the county at not less than the following judges of election seven dollars fifty cents ($7.50) inspectors and clerks six dollars ($6) and machine operators five dollars ($5) and not more than the following judges of election twenty dollars ($20) inspectors and clerks seventeen dollars fifty cents ($17.50) and machine operators fifteen dollars ($15) for each primary and election In districts using voting machines the county board of elections may in its discretion establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups 150 votes or less than 151 to 500 votes 501 to 1000 votes over 1000 votes In every election district using paper ballots in such counties the compensation of judges inspectors and clerks shall be fixed by the county board of elections of the county at not less than five dollars ($5) nor more than ten dollars ($10) for each primary and election In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all such officers and clerks shall each receive additional compensation at the rate of two dollars ($2) for each one hundred votes or fraction thereof cast after the first one hundred votes Provided That in districts using paper ballots no judge of elections shall receive more than twenty-seven dollars fifty cents ($27.50) for any primary or election nor shall any inspector or clerk receive more than twenty-five dollars ($25) for any primary or election

(c) For transmitting returns of primaries and elections and the ballot box or boxes all judges of election shall be entitled to receive the additional sum of [two dollars and fifty cents ($2.50 and [five cents ($.5) per mile for mileage] three dollars and fifty ($3.50) as full compensation for said services

(d) For transmitting the ballot box or boxes together with the judge of election as herein provided the minority inspector of election shall be entitled to an additional sum of three dollars and fifty cents ($3.50) as full compensation for said services

The person furnishing transportation to the judge of election and the minority inspector in transmitting returns and ballot boxes as provided in clauses (c) and (d) of this section shall be entitled to ten cents (10c) per mile circular from the polling place to the county court house The name of such person shall appear on the voucher of the judge of elections

(e) When a primary and special election or a special and general municipal election take place on the same day they shall be construed as one election for the purposes of this section

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 803, as follows:

An Act to amend clauses (c) and (d) of section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by permitting the judges of the County Court of Allegheny County to hear and determine criminal issues and matters in the Court of Quarter Sessions of the Peace in Allegheny County when called upon by the presiding Judge of said court so to do

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (c) and (d) of section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as amended by the act approved the second day of April one thousand nine hundred thirteen (P. L. 21) are hereby further amended to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * * *

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or a court not of record as provided by law

In addition to the powers now possessed and exercised by the judges of the County Court in and for the County of Allegheny said judges shall when called upon by the President Judge of the Court of Common Pleas of the same judicial district as hereinafter provided or by the presiding Judge of the Court of Quarter Sessions of the Peace of Allegheny County have power to hear and determine in said Court of Quarter Sessions of the Peace all pleas criminal issues and all other matters in the Court of Quarter Sessions of the Peace for said judicial districts as fully and effectually and to dispose thereof in the same manner as may be done by the judges of the Court of Common Pleas sitting in said Court of Quarter Sessions of the Peace The judges of the said County Court of Allegheny County so detailed to sit and hear criminal actions and cases in said Court of Quarter Sessions of the Peace in and for Allegheny County shall not have jurisdiction in the trial of any indictment matter or cause exclusively triable in the Court of Oyer and Terminer and General Jail Delivery in and for Allegheny County Provided however That nothing herein contained and no exception to jurisdiction of the said court herein set forth shall be construed to deprive the said court of exclusive jurisdiction in such cases as are in this act set forth

The judges of the said County Court of Allegheny County shall be ex-officio justices of the peace When defendents are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either by judges of existing courts or by judges of the County Court of Allegheny County as the case may be

(d) [The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive] The President Judge and other Judges of the County Court of Allegheny County shall have the authority to accept such detailment and assignment to sit in the Court of Quarter Sessions of the Peace in said County and the President Judge of the County Court of Allegheny County shall be guided in the assignment of judges for such service by the recommendations of the presiding Judge of the Court of Quarter Sessions of the Peace in and for Allegheny County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 810, on third reading, entitled:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulatnig the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operations thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellanous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 819, as follows:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contribut-

ing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying the definition of State employe

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 335) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 611) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 616) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 620) the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1149) and the fifth day of July one thousand nine hundred forty-seven (P. L. 1342) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the legislature as fixed by law and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Interstate Commission on the Delaware River Basin and of the Pennsylvania Turnpike Commission as of the date of entering the service of such [commission] commissions and of the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission [and of the Pennsylvania Turnpike Commission] paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any lilability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State Employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

Employes of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institution districts and other political subdivisions that are actually used as State mental hospitals under the provision of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirtieth day of June one thousand nine hundred forty-seven become contributors to this fund shall for the purposes of this act be deemed to have been "State employes" from the time they first entered the employe of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employe shall pay to the retirement association a sum equal to all the back payments which such employe would have had had he or she become a member of the retirement association at the time he or she was first employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employe increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount therof shall be paid in full unless such members is retired under the provision of this act before such back payments have been completed Any such de-

duction increase may be anticipated by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

The term "State employe" shall also include State officers and employes regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year

In all cases of doubt the retirment board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 825, as follows:

An Act to further amend subsection (d) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the salaries of the chairman and members of the Pennsylvania Labor Relations Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as last amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1445) is hereby further amended to read as follows

Section 4 Pennsylvania Labor Relations Board Created

* * * * *

(d) The chairman of the board shall receive a salary of [eight thousand two hundred and fifty dollars ($8250)] nine thousand dollars ($9000) per annum and the other members of the board shall receive a salary of [seven thousand seven hundred dollars ($7700)] eight thousand five hundred dollars ($8500) per annum The members of the board shall be eligible for reappointment The employes of the board shall be appointed by the Secretary of Labor and Industry with the approval of the Governor The board may establish or use such voluntary and uncompensated services as may from time to time be needed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,

Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreebly to order,

The Senate proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act to further amend section one hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by changing the method of computing payments in lieu of devices at dams to enable fish to migrate and increasing the amount of maximum payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 621) is hereby further amended to read as follows

Section 185 Devices to Enable Fish to Migrate to Be Erected at Dams Any person now or hereafter erecting or maintaing a dam in the waters of this Commonwealth shall immediately on a written order from the board erect therein such chutes slopes fishways gates or other devices as the board may dem necessary to enable the fish to ascend and descend the waters at all seasons of the year but in lieu of requiring the erection of such chutes slopes fishways gates or other devices at any dam where the same is not deemed by the board to be practicable or advisable for the ascending or descending of fish the board is empowered to enter into an agreement with the owner lessee or operator of such dam to pay to the board annually or at other stated periods a sum of money which shall be not less than [four and one half per centum (4½%) per annum upon the estimated cost of the erection of such chutes slopes fishways gates or other devices except in such cases where the amount so calculated would be equal to or exceed the sum of four thousand dollars ($4000) per annum then the annual payment shall in all such cases be four thousand dollars ($4000)] two and one-half per centum per annum upon the estimated cost of the erection of such chutes slopes fishways gates or other devices plus the estimated cost of reasonable depreciation and maintenance of the same except in such cases where the sum of such interest depreciation and maintenance so calculated would be equal to or exceed the sum of six thousand five hundred dollars ($6500) per annum then the annual payment shall in all such cases be six thousand five hundred dollars ($6500) per annum to be expended by the board for the purpose of stocking with [food] fish the waters of the pool above said dam and for the purpose of propogating rearing and distributing the fish actually placed in said waters and the acquisition of the necessary facilities therefor Any money received by the board pursuant to such an agreement shall be paid into the Fish Fund and is hereby specifically appropriated to be expended by the board for the purposes above named

And said bill having been read at length the third time, and agreed to,

And the amendents made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 835, as follows:

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A motor vehicle the unlawful use of which may be the subject of confiscation or condemnation under any law of this Commonwealth may be forfeited to or seized taken confiscated or condemned by the Commonwealth or its agencies or political subdivisions only when the owner thereof unlawfully uses or has knowledge of the unlawful use of such motor vehicle prior to such use

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed in so far as inconsistent with this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 841, as folows:

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such rights exist and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by exempting certain property held in the joint names of husband and wife

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Paragraph (e) of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing and penalties and citing certain acts for repeal" as last amended by the act approved the fourteenth day of July one thousand nine hundred thirty-six (P. L. 44) is hereby further amended to read as follows

Section 1

* * * * *

(e) Whenever any property real or personal is held in the joint names of two or more persons except as [tenants by the entirety] husband and wife or is deposited in banks or other institutions or depositories in the join names of two or more persons except as husband and wife so that upon the death of one of them the survivor or suvivors have a right to the immediate ownership or possession and enjoyment of the whole property the accrual of such right by the death of one of them shali be deemed a transfer taxable under the provisions of this act of a fractional portion of such property to be determined by dividing the value of the whole property by the number of joint tenants in existence immediately preceding the death of the deceased joint tenant Subject to the provisions of paragraph (c) of this section the provisions of paragraph (e) shall apply regardless of when such joint estate was first created

Whenever personal property is deposited in banks or other institutions or depositories in the joint names of two or more persons except by a husband and wife [as tenants by entireties] and one of the parties to such deposit shall die it shall be the duty of such bank or other institution or depository within ten days after knowledge of such death to notify the Department of Revenue of such death giving the name of such deceased person the date of creation of the joint deposit the amount on deposit at date of death with such bank or other institution or depository and the name and address of the survivor or survivors to such account Any bank or other institution or depository which after knowledge of any such death shall fail immediately to notify the Department of Revenue as herein required shall be liable to a penalty of one hundred dollars ($100.00) to be recovered by the said department as debts of like amount are by law recoverable

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreebly to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 850, as follows:

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the thirty-eighth judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans'

courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associates judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the next municipal election in November one thousand nine hundred forty-nine the qualified electors of the said thirty-eighth judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said thirty-eighth district from the first Monday in January one thousand nine hundred fifty for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint a competent person learned in the law as such additional law judge of the court of common pleas of the said thirty-eighth judicial district to serve until the first Monday of January one thousand nine hundred fifty

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finaly?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreebly to order,

The Senate proceeded to the third reading and consideration of House Bill No. 858, as follows:

An Act to amend section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records

The General Assembly of the Commonwealth of Pennence thereto" is hereby amended to read as follows

Section 1 Section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 34 Penalties

(1) Any person who wilfully makes or alters any certificate or certified copy thereof provided for in this act except in accordance with the provisions of this act and any person who wilfully discloses or aids assists abets or induces any other person or persons to disclose any information contained in vital statistical records contrary to the provisions of this act shall be fined not more than one thousand dollars ($1000) or be imprisoned not exceeding six (6) months or both fined and imprisoned

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 979, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (P. L. 555), entitled "An act providing for the regulation of dams, or other structures or obstructions, as defined herein, in, along, across, or projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; vesting certain powers and duties in the Water Supply Commission of Pennsylvania, for this purpose; and providing penalties for the violation of the provisions hereof," by further defining water obstructions; and enlarging the powers and duties of the Water and Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreebly to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

The General Assembly of the Commonwealth Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for

the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the twelfth judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred and forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the next municipal election in November one thousand nine hundred and forty-nine the qualified electors of the said twelfth judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said twelfth district from the fist Monday in January one thousand nine hundred and fifty for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint a competent person learned in the law as such additional law judge of the court of common pleas of the said twelfth judicial district to serve until the first Monday of January one thousand nine hundred and fifty

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1005, as follows:

An Act to amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing the boards of school directors to add names to the tax assessment lists and tax duplicates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 16 Adding Names to Duplicates In case the tax collector or a deputy tax collector shall at any time find within the taxing district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of such taxing district he shall report the name of such person forthwith to the assessor who made the assessment used by the taxing district

The assessor shall thereupon promptly certify the said name to the taxing district which made the assessment which shall then promptly certify such name to the tax collector reporting such name [Whereupon] If the board of school directors of any school district shall at any time find within the school district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of the district it may by resolution determine that the name of such person belongs on the tax assessment list and on the tax duplicate and certify the same to the tax collector with direction to collect the proper taxes from such person for the current year and for the preceding year or the two preceding years if he was liable for such taxes under existing law The school board shall at the same time certify such name to the assessor who made the assessment used by the school district

Upon receiving any name as aforesaid the tax collector shall add the name and assessment of such person to the duplicate of the proper taxing district and proceed to collect the tax or taxes assessed against such person as herein provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1051, as follows:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses defining the powers and duties of the Department of Agriculture and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions

(a) The word "animal" as used in this act shall mean all equine animals including horses asses and mules

(b) The word "Department" shall mean the Department of Agriculture of this Commonwealth

(c) The word "person" shall include individuals partnerships corporations and associations

(d) The word "product" shall mean any part of the animal including the meat meat byproducts meat food product or any usable part derived from the slaughter of such animal except the hoofs and hair

(e) The word "establishment" as used in this act shall include (1) any building or structure in which equine animals are slaughtered or butchered and shall include coolers and all facilities used for processing the products when such operations are carried out on the same or adjoining premises and (2) the ground upon which such building or structure is erected and so much ground adjacent thereto as is used in carrying on the business of such establishment including drains gutters and cesspools used in connection with the establishment

Section 2 This act shall apply to the slaughtering of equine animals and no other animals may be slaughtered in an equine slaughtering establishment

Section 3 Every establishment including all equipment therein or thereon shall be kept in a clean and sanitary condition

Section 4 (a) It shall be the duty of every person operating an establishment as defined in section one (e) of this act in this Commonwealth to apply to the Department for a license to do so before the first day of September one thousand nine hundred forty-nine and annually thereafter before the first day of September of each succeeding year or if a new establishment such license shall be secured and posted before the establishment may be operated and to pay to the Department at the time of said application for registration and license is filed a fee of twenty-five dollars ($25) for each establishment operated All licenses so issued shall expire the thirty-first day of August following the date of issue No equine slaughtering establishment shall be licensed when a part of the building is used as a dead animal collecting station or rendering plant

(b) The application for license shall be made on a form to be supplied by the Department and shall show the location of each establishment and the actual name and address of the owner or owners and the name and address of the lessor or lessee The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

(c) Upon approval of the application for license and payment of license fee and upon approval of the establishment and of sanitary conditions in the establishment and every place used in connection therewith the Department shall issue to each applicant a license which shall remain in effect as aforesaid unless revoked or suspended for cause by the Department

(d) Such license shall be posted in a conspicuous place in or at the place of business of such licensee and available for inspection by any person or persons who may be propertly authorized to make such examinations

(e) From and after the first day of September one thousand nine hundred forty-nine it shall be unlawful for any person to operate an establishment unless said establishment is duly licensed in accordance with the provisions of this act

Section 5 If an agent of the Department finds that said establishment upon application for an original license does not comply with the requirements of this act or with any rules and regulations of the department he shall notify the applicant wherein the same fails to comply

Section 6 Each establishment shall to the satisfaction of the Department be provided with ample working rooms including a killing room chill room and cooler space the floors and walls of which shall be cement or other material that can readily be washed with adequate drainage and so constructed that the establishment can be maintained in a sanitary condition free from flies vermin and rodents

Section 7 Such establishment shall have a safe water supply for drinking purposes for employes also an adequate supply of hot and cold water Adequate toilet facilities and dressing compartments shall be provided in a separate room Toilets provided shall be conveniently located fitted with proper lavatory accommodations (flush type toilets) well lighted and ventilated An adequate supply of drinking water shall be maintained for animals

Section 8 The Department shall inspect each establishment as often as it deems necessary to ascertain that the establishment is conducted in conformity with this act and any rules and regulations made by the Department pertaining to this act

Section 9 It is unlawful to hinder impede or prevent any duly authorized agent or employe of the Department from entering any establishment in the performance of his duty or from making any examination duly ordered in enforcing this act

Section 10 (a) If upon examination it is found that any establishment or any part thereof or any equipment or the outside premises of any such plant has become unclean or insanitary the agent of the Department making such examination shall notify the owner lessee or manager in writing and at the same time report the unlawful condition to the Department

(b) Upon receipt of such report the Department shall notify the proper owner lessee agent or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice.

(c) If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the Department may order the license suspended or revoked and the establishment closed

Section 11 The following requirement shall be observed in all equine slaughtering establishments

(a) No animals that were in a dying condition when destroyed nor animals that have died as the result of accident or of natural causes or disease shall be accepted into any establishment for any purpose whatsoever No carcasses parts of carcasses or products of dead animals may be accepted from any person by the operator of a licensed establishment or by any of his employes

(b) No food of any type or kind intended for human consumption or that which may be used for human consumption shall be stored in coolers holding rooms or any part of the establishment

(c) It shall be unlawful and a violation of this act for any person to sell offer for sale expose for sale intimate or recommend for sale for human consumption any carcass parts of carcasses or products composed in whole or part of equine animals

(d) Should an agent of this Department in making an examination of any establishment find an animal or animals in the holding pens suffering with disease or weak or down or in such physical condition that it should be slaughtered such agents are empowered by this act to order such animal or animals slaughtered and pass upon the carcass or carcasses and products according to conditions

found on post mortem examination and may order destruction when conditions warrant

(e) It shall be a violation of this act for the owner of an establishment or his agent or foreman if the owner is absent to refuse to conduct such slaughter upon request of an agent of the Department

(f) It shall be unlawful to sell for animal feeding purposes the carcass or parts of carcasses or products of an animal found to be in such an unfit condition at the time of slaughter that the meat or parts might be injurious to the health of other animals to which such meat or products may be fed In case of doubt the owner of an establishment shall call a duly licensed veterinarian to examine such animal to pass upon the fitness of the carcass and organs for animal feeding purposes

(g) All dressed carcasses shall be marked on each quarter with a stamp and green ink plainly showing the name and address of the establishment All carcasses or parts of carcasses or the containers in which any equine animal meat or products are shipped or delivered shall be plainly labeled "Horse Meat Mule Meat etc for Animal Feeding Purposes" as the case may be and shall plainly show the name and address of the establishment and shall be registered and labeled in accordance with laws governing the manufacture or sale of commercial feeding stuffs

(h) For a period of two (2) years a duplicate copy or the original invoice of all animals purchased shall be kept on file at the establishment likewise a duplicate copy of all invoices covering sales of carcasses parts of carcasses and products shall be retained for a period of two (2) years Such records shall be subject to inspection upon demand by any duly authorized employe of the Department Failure or refusal to produce such records shall be a violation of this act

Section 12 To protect the public health and to protect the health and prevent the spread of disease among domestic wild or fur-bearing animals held in captivity the Department may adopt and promulgate such rules and regulations as it may deem necessary in carrying out the provisions of this act

Section 13 Any person firm or corporation who shall violate any of the provisions of this act or any rule regulation or order made pursuant to this act shall upon conviction thereof in the first or second offense in a summary proceeding before an alderman magistrate or justice of the peace of competent jurisdiction be sentenced for each offense to pay a fine not exceeding one hundred dollars ($100) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for a period not exceeding three (3) months and for a third or subsequent offense be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

All fines imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 14 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer an amendement at this time,

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 4, line 3, by adding after the word "member" and before the word "The" the following: "together with annual expense allowance granted by law."

On the question,

Will the Senate agree to the amendment?

It was agreed to

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1073, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1257, as follows:

An Act to repeal certain provisions of and to add a new article eight to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission and authorizing and empowering the Secretary of Highways with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (d) of article seven and all of article eight of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" are hereby repealed

Section 2 Said act is hereby amended by adding after article seven thereof a new article to read as follows

Article VIII

Connecting Bridges and Approaches

Section 801 Authority to Construct Whenever the construction thereof would lessen the distance between two points on separate State highway routes or traffic congestion would be relieved and the flow of traffic on State highways facilitated thereby the Secretary of Highways with the approval of the Governor is hereby authorized and empowered to construct bridges over streams or over streams and the facilities of public utility companies and to construct the necessary approaches and connecting roads thereto in or between cities of the second class second class A and third class boroughs incorporated towns or townships or in or between any two or more of such political subdivisions to join or connect two or more State highway routes

Section 802 Plans Whenever a bridges necessary approaches and connecting roads are to be constructed as herein provided the Secretary of Highways shall cause a plan thereof to be made showing the location and width thereof and the area of private property to be taken to effect the improvement and shall submit the same to the Governor for his approval after which the Secretary of Highways shall attach thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county or counties in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners All costs of recording shall be paid by the Department of Highways of the Commonwealth The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway or bridge purposes of all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes

Section 803 Damages Any damages occasioned in the taking of private property by the exercise of the right of eminent domain as herein provided shall be ascertained and paid as provided by the State Highway Law for the ascertainment and payment of damages for the widening or relocation of State highways in townships.

Section 804 Approches and Connecting Roads The Secretary of Highways may take over as a part of the system of State highways of the Commonwealth any existing road street or structure which may form or be a part of any bridge approach or connecting road to be constructed under the terms of this act Any bridge road or street constructed or taken over as herein provided shall thereafter be maintained by and at the expense of the Commonwealth subject to the laws governing the maintenance occupancy or use of State highways and bridges

Section 805 Sharing of Costs It shall be lawful for the authorities of any political subdivision in or between which any bridge approach or conecting road is to be constructed as herein provided to enter into agreements with the Secretary of Highways for sharing the construction costs or sharing or paying the property damages involved Any moneys available to such political subdivisions for the payment of property damages or for the construction of highways and bridges shall be available for such purposes

Section 806 Agreements with Authorities or Agencies The Secretary of Highways is hereby authorized and empowered to enter into agreements with any duly authorized State authority or agency whereby such authority or agency would construct or provide for the construction of such connecting bridges and approaches thereto under such terms and conditions as mutally would be agreed upon in accordance with law

Section 807 Appropriation So much of the money in the Motor License Fund as may be necessary from time to time is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act or the terms of any agreement entered into pursuant thereto

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1258, as follows:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing

the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" abolishing the State Bridge Commission and its functions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much as applies to the Department of Highways of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Celleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-seven (P. L. 211) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

[In the Department of Highways

State Bridge Commission]

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Sections four hundred forty-nine and two thousand ten added to said act by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1300, as follows:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city of the third class having purchased real property for non-payment of taxes shall have heretofore sold any such property under the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) known as "The Third Class City Law" in the mistaken belief that the provisions of said act were required to be complied with notwithstanding the fact that the provisions of said act relating to such sales were repealed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 787) as amended all such sales heretofore made in compliance with the provisions of the said Third Class City Law are hereby ratified confirmed and validated and the title to any such real property purchased by any person from such city and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such sale shall have been made under and in compliance with the provisions of the said act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 787) as amended

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations facts or circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section one thousand two hundred eight thereof a new section to read as follows

Section 1208.1 When Pleas and Payment of Fine etc Inadmissible as Evidence in Civil Cases A plea of guilty or nolo contendere or payment by any person charged with a violation of this act of the fine and costs prescribed for such violation after such a plea in any summary proceedings before a magistrate shall be inadmissible as evidence in every civil proceeding arising out of the same violation or under the same facts or circumstances

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Haluska,	Meade,	Tarr,
Barrett,	Hare,	Neff,	Taylor,
Berger,	Holland,	Pechan,	Toole,
Blass,	Homsher,	Peelor,	Wade,
Chapman,	Kephart,	Robinson,	Wagner,
Crowe,	Lane,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
DiSilvestro,	Lord,	Snowden,	Wolfe,
Doehla,	Mahany,	Stevenson,	Wood, L. H.,
Donlan,	Mallery,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

NAYS—1

Geltz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 490 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, on the Second Reading Calendar, Senate Bill No. 490, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 490, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between employers engaged in public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission and their employes which threaten to cause an interruption of such transportation facilities prescribing procedure for the adjustment and settlement of such disputes by collective bargaining and the intervention of a conciliator prohibiting for a certain period of time but preserving the right to strike stop work or lockout and conferring jurisdiction upon the courts of common pleas to enforce compliance with the provisions of the act

The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 6, page 5, line 9, by inserting after the word "ballot" the following: "If a majority of those voting on the question shall vote in favor of accepting the offer then such offer shall become effective, and if the same involves a dispute relating to wages, hours, or other conditions of employment that should be adjusted by collective bargaining, the effective period shall date

from the date of the appointment of the mediator by the Governor and shall continue effective for one years from that date" Amend Sec 6, page 5, line 15, by inserting after the word "appropriate" the following: "under the authority and power that he now possesses."

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. LANE and Mr. HALUSKA and were as follows: viz:

YEAS—35

Berger,	Geltz,	Meade,	Wade,
Blass,	Hare,	Pechan,	Wagner,
Chapman,	Homsher,	Peelor,	Walker,
Crowe,	Kephart,	Robinson,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
Doehla,	Lord,	Snowden,	Wolfe,
Donlan,	Mahany,	Stevenson,	Wood, L. H.,
Farrell,	Mallery,	Tallman,	Wood, T. N.,
Frazier,	McPherson, Jr.,	Taylor,	

NAYS—15

Barr,	Haluska,	Neff,	Tarr,
Barrett,	Holland,	Rosenfeld,	Toole,
Dent,	Lane,	Ruth,	Yosko,
DiSilvestro,	Leader,	Stiefel,	

So the question was determined in the affirmative.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 7, page 5, line 19, by striking out the word "or" and inserting in lieu thereof "of"; Amend Sec. 7, page 6, line 4, by striking out the word "any" and inserting in lieu thereof "may".

They were agreed to.

The section was agreed to as amended.

The eighth and ninth sections were read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend bill, page 7, by inserting after line 5, the following: "Section 11. The provisions of this act shall become effective immediately upon final enactment".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 114, entitled:

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 160, on second reading, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without psychosis.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems

go over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No 190, on second reading, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" excepting emergencies and unusual conditions from the mandatory provisions thereof

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the forth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class, boroughs, towns, and townships to carry out certain of their governmental functions in a more efficient manner; prescribing the officers and powers and duties of such districts and the duties of participating municipalities; and conferring jurisdiction on courts of quarter sessions in connection therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 279, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within the bituminous regions and regulating mining and the removal of natural surface support in cities

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 286, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 287, entitled:

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescribing minimum penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 289, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 367, on second reading, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 408, on second reading, entitled:

An Act to add section one thousand fifty-four point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of child behavior clinics in the offices of county superintendents and providing for the appointment of psychologists psychiatrists and psychiatric social workers for the operation of said clinics

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 425, entitled:

An Act to further amend sections two hundred two and two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to include the Unemployment Compensation Board of Review Unemployment Compensation Referees and the Pennsylvania Labor Relations Board in the Department of Labor and Industry and to delete the Industrial Board as an Advisory Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 430, entitled:

An Act relating to group life insurance describing permitted policies and restrictions thereon and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 483, on second reading, entitled:

An Act to further amend subsection six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the reguation of public utilities including to a limited extent municipalities engaging in publc utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandoment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities

to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulating of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resulant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof persons or corporations furnishing transportation of any injured ill or dead person

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 518, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the tate Treasurer and prescribing penalties" by prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 553, entitled:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and person authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 554, entitled:

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 592, entitled:

An Act authorizing the Joint State Government Commission to make a codification of the insurance laws of the Commonwealth providing for the appointment of an insurance law codification committee authorizing the employment of necessary assistants prescribing the powers and duties of the committee and making an appropriation

The first section was read.

On the question,

Will the Senate agree to the section?

Mr WADE offered the following amendment:

Amend Sec. 1, page 2, lines 7 and 8, by striking out the words "consolidate revise and modernize the insurance laws for the purpose" in line 7, and the words "of recodification" in line 8 and inserting in lieu thereof "report and recommend a proposed Insurance Code or codes"

It was agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendments:

Amend Whereas Clause, page 2, next to last line of whereas clause, by striking out the word "modernize" and inserting in lieu thereof "consolidate and revise;" Amend Whereas Clause, page 2, last two lines of whereas clause by striking out the words "law and to bring it in harmony with those of other states" and inserting in lieu thereof "laws."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 592, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 598, on second reading, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled"An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 609, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools orTeachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by re-enacting and amending subsections (e) (f) and(h) of section five hundred eight and by adding section five hundred twenty-eight to the said act authorizing administrative departments boards and commissions with the approval of the Governor to enter into contracts with State Authorities

be recommitted to the Committee on State Government.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 614, on second reading, entitled:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by extending the jurisdiction of orphans' court to the determination of the custody of minors in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An

act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and the Pennsylvania Soldiers' Orphans School to withdraw from the Retirement System and receive reimbursement for moneys paid in

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 617, entitled:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that certain employes of the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School who are not members of or who may withdraw from the public school employe's retirement association may become members of the State Employes' Retirement Association and receive credit for their service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 619, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for the violations of this act" by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 672, on second reading, entitled:

An Act to further amend sections two four five and six of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by bringing additional types of buildings under the provisions of the act further revising the classification of buildings covered by this act further regulating ways of egress providing for fire proofing or the closing of vertical openings in buildings regulating the installation of equipment for the display or sale of merchandise prescribing the level on which gymnasiums used for public assembly may be placed prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 776, on second reading, entitled:

An Act to further amend sections four and fourteen of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen and which permitted examinations of physical fitness to be made by any licensed physician

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 780, on second reading, entitled:

An Act to further amend the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by further defining and regulating persons engaged in the sale of cigarettes authorizing the department to pay commissions on tax stamps purchased by distributors increasing fees providing for appeals from decisions and orders of the department authorizing the issuance of permits to out of State distributors

be recommitted to the Committee on Judiciary General, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 813, on second reading, entitled:

An Act relating to the issuance of liquor and malt or brewed beverages licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 814, on second reading, entitled:

An Act to further amend the definition of the term "unfit for food" in section one of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled as last amended "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation, and possession of meat, meat-food products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," by including within said definition calves less than four weeks of age.

be recommitted to the Committee on Agriculture.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 871, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the opertors thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter off this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations

authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for the voluntary liquidation and dissolution of banks bank and trust companies and trust companies and repealing certain acts and parts of acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr President, I ask unanimous consent that House Bill No. 982, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by eliminating the Board of Fish Commissioners creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission and further prescribing its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 986, entitled:

An Act to amend sections three hundred two three hundred three three hundred eleven and one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident hunter's license establishing a nonresident trapper's license and fixing the fee for the same increasing agents' compensation and providing for the use of certain amounts from resident license fees

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendment:

Amend sec. 2 (Sec. 302), page 3, line 15, by striking out the word "license" and inserting in lieu thereof the following: "Licenses."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendments:

Amend sec 3 (Sec. 303), page 4, line 19, by striking out the brackets before and after the words "fifteen dollars ($15.00)" Amend sec 3 (Sec. 303), page 4, line 20, by striking out the words "twenty dollars ($20.00);" Amend sec 3 (Sec. 303), page 5, by striking out the word "licenses" and inserting in lieu thereof the following "Licenses;" Amend sec 3 (Sec. 303), page 5, line 9, by striking out the words "twenty-five dollars ($25)" and inserting in lieu thereof the following "twenty dollars ($20)."

They were agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendments:

Amend sec 5 (Sec. 1401), page 8, line 20, to correct a printer's error by underscoring the following words; "operation rental and storage of equipment tools and materials neces-;" Amend the bill, page 9, by inserting after line 5 a new section to read as follows: "Section 6. The provisions of this act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the sceond time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 986, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 991, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation

thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1068, entitled:

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school buildings or athletic fields for charitable purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 190 CALLED UP

Mr. WALKER. Mr. President, I call up, from the Second Reading Calendar, on page 22, House Bill No. 190, which was passed over in its order temporarily.

BILL ON SECOND READING

Agreebly to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 190, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" expecting emergencies and unusual conditions from the mandatoiry provisions thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 900, entitled:

An Act prohibiting certain practices of discrimination by employes, employment agencies and labor organizations as herein defined and others because of race, color, religious creed, national origin or ancestry; creating the Pennsylvania Fair Employment Practice Commission; defining its functions, powers and duties; providing for the procedure and enforcement, and for formulation of an educational program to prevent prejudice providing for judicial review and enforcement; providing for punishment of violations of court orders; and making an appropriation.

Which was committed to the Committee on Labor and Industry.

Mr. HOMSHER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in place and presented to the Chair Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved ————, one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No. ——, entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

Which was committed to the Committee on Education.

Mr. FARRELL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL read in place and presented to the Chair Senate Bill No. 902, entitled:

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by further providing for the collection of delinquent taxes in certain cases.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. YOSKO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO, from the Committee on Elections, reported as committed, Senate Bill No. 552, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including

general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that no filing fee shall be paid for any nomination petition for councilman in any borough.

He also from the Committee on Elections reported as committed, Senate Bill No. 874, entitled:

An Act to further amend subsection (b) of section sixteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifiications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring the registration commission to divide the county into registration centers and to provide registrars to sit therein for the registration of the electors in any borough town or township in the county.

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, frm the Committee on Education, reported as committed, Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education receiver of school taxes, and school treasurer in such districts; and prescribing penalties.

He also from the Committee on Education reported as committed, Senate Bill No. 843, entitled:

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts and courts; providing for compensation to certain officers and employes; and prescribing penalties.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 177, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the Authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the authority shall be tax exempt.

Senate Bill No. 349, entitled:

An Act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State institution providing for a board of trustees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board

Senate Bill No. 485, entitled:

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class.

House Bill No. 566, entitled:

An Act to promote the welfare of the people of the Commonwealth, creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and making an appropriation.

House Bill No. 790, entitled:

An Act to repeal the act approved the sixth day of May, one thousand nine hundred forty-three (P. L. 190), entitled "An act authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same," and its amendments.

House Bill No. 900, entitled:

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" by clarifying provisions for payment of compensation of constables and their deputies.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 551

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 7, 1949

Resolved (If the House of Representatives concur) That Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

be recalled from the Governor for the purpose of amendment.

BILL INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, I would like to make a few short remarks before introducing a bill.

Mr. President, I cannot take too much credit for the authorship of this bill because it is an amendment or a revision, rather of the Meade-Frazier F.E.P.C. Bill. I am sorry that the sponsors of the Meade-Frazier Bill did not see fit to join me in the sponsorship of this bill. I would have liked to have had them sponsor the bill because I know they have worked hard on that measure, and there are, in my opinion, many good features in the Meade-Frazier Bill, and much of the Meade-Frazier Bill is in this bill. However, there is a great departure in this bill from the Meade-Frazier Bill.

Mr. President, I believe that anyone who is capable of holding a job certainly is capable of making application to the Commission if he has a grievance. This bill provides that complaints can only be made by the aggrieved party or his attorney.

One other feature that differs somewhat in this bill from the Meade-Frazier Bill is that mediators are provided in this bill. After a complaint is made to the Commission, the Commission could, if it saw fit, refer it to a mediator who would meet with the aggrieved party and the respondent, and endeavor to work out the matter amicably. I have been told that in New York and New Jersey, and other states where they have an F. E. P. C. Bill, that the great majority of complaints are worked out amicably. If the mediator is not able to work the matter out, then the Commission either as a whole or one of the Commissioners can endeavor to effect a reconciliation. If they are not successful, the aggrieved party has the right of appeal to the court of common pleas.

Mr. President, I have not just taken a sudden interest in fair employment practices. I recall that during my first Session in the Legislature, I think it was in the Session of 1937, that partially, at least, through my efforts, an amendment which Representative Homer Brown inserted in the House became a part and is still a part of our labor relations law. I hope that all people who are sincerely interested in Fair Employment Practices will lend their support to this Bill even though some of the features that were in the Meade-Frazier Bill are not incorporated in this bill.

Mr. President, Senator Mahany has cooperated with me, and I am pleased, on behalf of Senator Mahany and myself, to rise in place and present to the Chair a bill.

Messrs. MALLERY and MAHANY read in place and presented to the Chair Senate Bill No. 903, entitled:

An Act prohibiting certain practices of discrimination by employers, employment agencies and labor organizations as herein defined and others because of race, color, religious creed, national origin or ancestry; creating the Pennsylvania Fair Employment Practice Commission; defining its functions, powers and duties; providing for the procedure and enforcement, and for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; providing for punishment of violations of court orders; and making an appropriation.

Which was committed to the Committee on Labor and Industry.

PERMISSION TO ADDRESS SENATE

Mr. FRAZIER asked and obtained unanimus consent to address the Senate.

Mr. FRAZIER. Mr. President, I just want to say that Senator Mallery very graciously and kindly invited Senator Meade and myself to act as co-sponsors on this bill with him. Senator Mallery, throughout his entire

discussion, has been very kind, very courteous, and very much interested in F. E. P. C., but I, after rather mature deliberation, felt it might be unwise on my part to co-sponsor a bill which in any way modified the legislation which Senator Meade and I proposed.

Mr. President, we spent many hours, day and night, in drafting what we thought would be a proper bill. We collaborated with those who were interested, and I rather felt that it might be an attempt to recede from our position if we co-sponsored any bill which was not quite in conformity with the bill which we originally drafted, but I want to say that I am very happy, indeed, that Senator Mallery has of this date introduced a bill, and I hope that it will be satisfactory to the Senate, and I assure him that I will support it with every ounce of energy that I have.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," by increasing certain fees fixed by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds and repealing an existing law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to add article Seven-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by providing for the protection of the public health, and for the appointment, powers and duties of boards of health and health officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 338, entitled:

An Act to further amend section one hundred eighty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the appointment of a solicitor for the sheriff in counties of the sixth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various offices of said political subdivisions and prescribing penalties" by further prescribing the pro rata payments to be made by cities of the third class counties and school districts for the premiums on bonds for the tax collector, his deputies, clerks and assistants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 488, entitled:

An Act to further amend sections fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor for methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to theprothonotary of additional fees under certain circumstances

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act to further amend, subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that no filing fee shall be paid for any nomination petition for councilman in any borough.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act authorizing the Controller Treasurer and Receiver of Taxes in cities of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and school districts of the first class under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act to further amend section two hundred fifty-nine of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the appointment by the district attorney of any county of the sixth class having no assistant district attorney with the approval of the salary board of a special assistant attorney to aid in murder cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 730, entitled:

An Act to create a fund from which loans may be made to Urban Redevelopment Authorities to facilitate Urban Redevelopment conferring powers and imposing duties on certain State officials and boards and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act to add section four point one to, and to further amend section eleven of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by providing for lesser pensions at the employe's or former employe's option after fifteen but less than twenty years of service and contribution; and defining "year of service" in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns. and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by further defining the duties for which compensation and expenses are payable.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 789, entitled:

An Act to further amend clause XXX of section one thousand two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising; amending, and consolidating the law relating to boroughs," authorizing appropriations for insurance or compensation coverage upon special fire police killed or injured in the performance of their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," by fixing the compensation and mileage of county auditors in such counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 805, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1386), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the

first and second class and second class A, borough, town, townships, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims; sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the leasing and sale of properties by the Tax Claim Bureau; authorizing county commissioners to purchase properties at certain tax sales, and increasing the percentage charged by the county on moneys collected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and demanding, revising, consolidating, and changing the law relating thereto," by further providing for assessment of property for maintenance of lights on roads and highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes, and school treasurer in such districts; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 843, entitled:

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts and courts; providing for compensation to certain officers and employes; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the supervisors to appropriate money towards nonprofit ambulance services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 852, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring all bonds issued by Athorities for the acquisition of real property to be of uniform priority lien and standing and prohibiting the delegation of managerial powers except to political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 860, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employes; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by further prescribing the terms of the officers of the board of revision of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 874, entitled:

An Act to further amend subsection (b) of section sixteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring the registration commission to divide the county into registration centers and to provide registrars to sit therein for the registration of the electors in any borough town or township in the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1022, entitled:

An Act to amend clause (d) of section five hundred one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the antlerless deer abrogation petitions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1043, entitled:

An Act to amend section four thousand two hundred five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing cities of the third class to appropriate money for the support and maintenance of airdromes or aviation fields situate without the counties in which such cities are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1048, entitled:

An Act to further amend clauses (a) (b), (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1049, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937) P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to further amend clause (a) of section three hundred one clause (a) (b) (c) and (f) of section three hundred six section three hundred seven and clause a) of section three hundred eight and to amend sections three hundred nine and four hundred two of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by changing the maximum and minimum rates and total amounts and aggregate of compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act to further amend subsection (a) of section seven of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring

the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further regulating appointments of members of the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the part maintained on said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until April 12, 1949, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:29 o'clock, p. m., Eastern Standard Time, until April 12, 1949, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 11, 1949.

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Rev. William Hugh Fryer, offered the following prayer:

Almighty God, giver of wisdom, who never failest them that seek Thee, control and enlighten, we beseech Thee, the hearts and minds of the members of the State Assembly. Give them a vision of man's part in Thy plan for the world; grant them patience and insight, faith and obedience to Thy Holy will, that being themselves led of Thee, they may by Thy Spirit lead Thy people on from strength to strength in the work of Thy Kingdom.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 7, 1949.

The Clerk proceeded to read the Journal of Thursday, April 7, 1949, when, on motion of Mr. J. M. JONES unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 104, 172, 680, 753, 882, 904, 905 AND 1134

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 104, Printer's No. 115, entitled "An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the township of Upper Providence Delaware County Pennsylvania with the approval of the Governor."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 172, Printer's No. 352, entitled "An Act to amend clause (2) of section seven and section nine of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled 'An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation' by changing the requirements relating to the furnishing of reports in counties of the first class."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 680, Printer's No. 169, entitled "An Act to reenact and further amend the act approved the twelfth day of May one thousand nine hundred thirty-nine (P. L. 133) entitled 'An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health.'"

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 753, Printer's No. 450, entitled "An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled 'An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation' by further regulating the terms of the members of said commission."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 882, Printer's No. 187, entitled "An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by eliminating from the act the requirements and provisions pertaining to the use of engine numbers on the engines of motor vehicles for identification purposes."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 904, Printer's No. 145, entitled "An Act to repeal section eleven of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 833) entitled 'An act establishing under the Department of Labor and Industry a system of regulation of employers seeking employes and of persons seeking employment and prescribing as incidental thereto certain duties of employers and of county municipal township and school authorities and of agencies procuring employes for others and prescribing penalties.'"

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 905, Printer's No. 146, entitled "An Act repealing certain acts and parts of acts relating to taxation."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1134, Printer's No. 542, entitled "A Supplement to the act approved the ninth day of July one thousand nine hundred forty-seven (Appropriation Acts page 72) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven' providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-nine."

JAMES H. DUFF.

SENATE MESSAGES

CONCURRENT RESOLUTION RECALLING SENATE BILL No. 551

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 6, 1949.

Resolved (if the House of Representatives concur), that Senate Bill No. 551, Printer's No. 190, entitled "An act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 790.

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments

HOUSE BILL No. 900.

An Act to further amend section one thousand two hundred seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by clarifying provisions for payment of compensation of constables and their deputies.

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 566.

An Act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall or any of its political subdivisions be incurred in the exercise of any of the powers granted by this act and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 214, 453, 636, 670, 671, 672, 673, 674, 675, 676, 688, 691, 735, 736, 751, 752, 800 and 815.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming to the Hall of the House a former Member, the gentleman from Forest, Honorable William W. Serrill.

The SPEAKER. The Chair is pleased also to welcome to the Hall of the House, a former Member from Allegheny County, now residing in Montgomery County, Honorable Edwin M. Rhea.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 566.

An Act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall or any of its political subdivisions be incurred in the exercise of any of the powers granted by this act and making an appropriation.

HOUSE BILL No. 790.

An Act to repeal the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" and its amendments.

HOUSE BILL No. 900.

An Act to further amend section one thousand two hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election

contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by clarifying provisions for payment of compensation of constables and their deputies

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REMOVAL OF MATERIAL FROM MEMBERS' DESKS

The SPEAKER. The Chair has been informed that Members in the rear of the House are complaining about persons, not Members, who are removing from the desks of those Members seated in the rear of the Hall, histories, bills and calendars.

Will the Sergeant-at-Arms please see to it that no one removes material from the desks of the Members, particularly during the last week of the session, when a great volume of important work is on hand.

MATERIAL FOR MANUAL

The SPEAKER. The Chair has been informed that to date only ninety-nine Members have submitted biographical information and pictures for use in the Manual. The Chair wishes to inform the Members that if the Manual is not delivered promptly, it will be the responsibility of the Members who do not deliver the necessary materials.

REPORT FROM COMMITTEE ON RULES

Mr. BRUNNER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 11, 1949.

Resolved, That the Speaker appoint a select committee of twenty-three Members and that such Committee be authorized to conduct the ceremonies incident to the final adjournment of the House of Representatives.

Committee on Rules

CHAS. H. BRUNNER, JR., (Chairman)
W. STUART HELM
CHARLES C. SMITH
ADAM T. BOWER
WILSON L. YEAKEL

APPOINTMENT OF SELECT COMMITTEE ON FINAL ADJOURNMENT CEREMONIES

The SPEAKER. Pursuant to a resolution adopted by the House of Representatives, April 11, 1949, the Chair appoints as a Select Committee the following Members:

Messrs. Helm, Chairman, Charles C. Smith, Mintess, Fleming, Yeakel, Hall, Watkins, Flack, Leisey, Hewitt, Waterhouse, Stimmel, Toomey, Bloom, Denniston, Stank, Lovett, Bane, Swope, Scanlon, Heatherington, Reidenbach and Duffy.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORTS FROM COMMITTEE

Mr. TAHL from the Committee on Appropriations, reported as amended, House Bill No. 182, entitled:

An Act to amend section one of the act, approved the fifth day of July, one thousand nine hundred forty-seven (Appropriation Acts page 53, Act No. 62-A), entitled "An Act making an appropriation to the Elwyn Training School at Elwyn in the County Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of the wards of the Commonwealth and the amount of the total appropriation.

Mr. LEISEY from the Committee on Appropriations, reported as amended, House Bill No. 302, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, Delaware County, to provide adequate school building facilities for wards of the Commonwealth.

Mr. O'DARE from the Committee on Appropriations, reported as amended, House Bill No. 696, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Mr. TAHL from the Committee on Appropriation, reported as amended, House Bill No. 779, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Mr. WEISS from the Committee on Appropriation, reported as amended, House Bill No. 897, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Mr. CLARENCE E. MOORE from the Committee on Appropriations, reported as amended, House Bill No. 931, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for purchasing, preserving, repairing and exhibiting Pennsylvania material.

Mr. REAGAN from the Committee on Appropriations, reported as amended, House Bill No. 1122, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the use of the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River.

Mr. SOLLENBERGER from the Committee on Appropriations, reported as amended, House Bill No. 1123, entitled:

An Act making an appropriation to aid certain school districts.

Mr. REIDENBACH from the Committee on Appropriations, reported as amended, House Bill No. 1132, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Mr. BANE from the Committee on Appropriations, reported as amended, House Bill No. 1138, entitled:

A further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled, "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Mr. BANE from the Committee on Appropriations, reported as amended, House Bill No. 1139, entitled:

An Act making an apropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

Mr. SARRAF from the Committee on Appropriations, reported as amended, House Bill No. 1231, entitled:

An Act promoting and assisting the study and teaching of Pennsylvania and local history in the schools by encouraging historical activities on the State and local level; authorizing the Pennsylvania Historical and Museum Commission to cooperate with the Pennsylvania Federation of Historical Societies or with its constituent historical societies in a program of historical investigation and publication designed to preserve and make readily available the materials for such study and teaching and to stimulate study and writing on various phases of Pennsylvania's great past, and to publish the results of such study and writing for the use of the schools and for public information; and making an appropriation.

Mr. FLEMING from the Committee on Appropriations, reported as amended, House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 260, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member of dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 916, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1166, entitled:

An Act establishing a retirement system for fish wardens employed by the Board of Fish Commissioners providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act to further amend clause one of section three and clause two of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the Public School Employes Retirement System

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act to add section one thousand two hundred fifty-one point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for annual payments by the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 669, entitled:

An Act authorizing and empowering certain police officers to make arrests on Sunday under certain conditions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 718, entitled:

An Act to further amend sections six hundred eight one thousand two hundred one and one thousand two hundred eighteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by authorizing a re-examination of operators involved in a traffic accident providing for the issuance of summons on sight for violations of this act and requiring pedestrians to comply with traffic signals and officers directing traffic

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 754, entitled:

An Act to further amend subsection (y) of section four and section three hundred eleven of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining "Wages of a Compensated Employe" and making further provision for refunds and adjustments of employers' contributions in certain cases

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act to amend sections one thousand twenty-one one thousand twenty-two and one thousand seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the term of office of county superintendents and district superintendents

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 987, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personal Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments

or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by granting certain preferences to soldiers in examinations selection and appointment of eligibles and furloughs

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act requiring persons associations partnerships corporations and their agents herein defined as Dealers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables except in cities of the first class to be registered by the sheriff providing for the revocation or suspension of such registration imposing a registration fee imposing certain duties on such dealers and their agents conferring powers and duties on Sheriffs Chiefs of Police of political sub-divisions Pennsylvania State Police and the Attorney General of Pennsylvania prescribing penalties and punishments for violation of this act and the means and method of its enforcement regulating certain matters of evidence in such procedure providing appeals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1155, entitled:

An Act to amend section one of the act which became a law the seventh day of July one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" by enlarging the jurisdiction of aldermen magistrates and justices of the peace.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'DONNELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for further study.

On the question,

Will the House agree to the motion?

Mr. SCHMIDT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. O'Donnell.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. O'DONNELL. I shall, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, does the gentleman from Philadelphia, Mr. O'Donnell, understand the contents of this bill?

Mr. O'DONNELL. In my own opinion, I do, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, what is the necessity for the recommitment of the bill?

Mr. O'DONNELL. For further study, Mr. Speaker.

Mr. SCHMIDT. Further study as to what, Mr. Speaker?

Mr. O'DONNELL. Mr. Speaker, with respect to whether or not justices of the peace, aldermen or magistrates should have jurisdiction covering trespass and trespass on the case. A further question, I understand, has arisen with respect to the constitutionality of the bill in its present form.

Mr. SCHMIDT. Mr. Speaker, is not the gentleman from Philadelphia a member of the Committee on Judiciary?

Mr. O'DONNELL. I am, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, was not the bill considered as to whether or not this jurisdiction offered justices of the peace should not be increased?

Mr. O'DONNELL. I cannot answer that, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, was the gentleman from Philadelphia present when the bill was considered in the committee?

Mr. O'DONNELL. Mr. Speaker, I do not recall.

Mr. SCHMIDT. Mr. Speaker, what in the bill would make it unconstitutional in the opinion of the gentleman from Philadelphia?

Mr. O'DONNELL. Mr. Speaker, involving cities of the first class, there is a constitutional provision setting up magistrates in Philadelphia County.

Mr. SCHMIDT. Mr. Speaker, if this bill did not apply under the bill setting up magistrates in cities of the first class, what would prevent this bill being passed and applied to other first class cities?

Mr. O'DONNELL. Mr. Speaker, I haven't studied with that broad subject or practice in mind. I only look at it preliminarily out of perhaps self interest as it would affect me, as I know people who sometimes resort to magistrates in Philadelphia County. Perhaps other members of the bar who know something about the jurisdiction of aldermen or justices of the peace in counties of the second class to the eighth class would be better able to answer that question.

Mr. SCHMIDT. Mr. Speaker, could not this be accomplished by putting this bill on the postponed calendar and thus give the gentleman an opportunity to make that study?

Mr. O'DONNELL. That is up to the gentleman from Allegheny, Mr. Speaker. I have no objection to him doing so but I still think a matter like this should be studied in committee where it does not take the time of the entire House, especially when we have such important business as we are approaching the closing day.

I would like to insist upon the motion that it be considered at this time, but, of course, I do not want to be unfair to the gentleman from Allegheny. I would like to give the matter further study and I presume he did so when he presented the bill.

Mr. SCHMIDT. No, Mr. Speaker, I understood that the gentleman from Philadelphia desired further study and I thought perhaps this could be accomplished by placing this bill on the postponed calendar.

Mr. O'DONNELL. Mr. Speaker, I would like to explain the matter further, but the gentleman has raised the question with respect to counties of the first and second class, third, fourth, fifth, sixth, seventh and eighth classes. I am no authority even with respect to the law pertaining to Philadelphia County, a county of the first class. I think this committee, which was composed mostly of members of the bar gave this matter full consideration

in Committee, that is where they considered the problem which is involved.

Mr. SCHMIDT. Mr. Speaker, was not this same question raised by the gentleman from Philadelphia in the Committee?

Mr. O'DONNELL. Mr. Speaker, I prefer not to answer that question because I do not think it is pertinent to the issue involved. Further, what goes on in Committee is confidential.

Mr. SCHMIDT. Mr. Speaker, was it not the opinion of the members of the Judiciary Committee that this bill would apply to counties of the first class?

Mr. O'DONNELL. Mr. Speaker, I could not say. If the gentleman from Allegheny wishes to make that statement, that is up to him, but I will not relate to anyone what has taken place in Committee, as I understand there is a prohibition against it under the Rules of the House.

Mr. SCHMIDT. This is all.

Mr. Speaker, this bill in question received all the consideration that has been raised by the questions asked here by the gentleman from Philadelphia, Mr. O'Donnell. This bill would take care of a situation that now exists whereby insurance companies and utilities—I do not want to discuss the bill; I think it is necessary in this case because of the fact that this will was in a committee made up almost wholly of members of the bar, and I think that this bill has received the study necessary for it to be put out on the floor and I ask each and every Member of this House to vote "no" on this motion to recommit.

Mr. O'DONNELL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Schmidt.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SCHMIDT. I shall, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, is the gentleman familiar with the veto of Act No. 27 of July 31, 1941, by former Governor James?

Mr. SCHMIDT. I am not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman from Allegheny wish me to read it? I will submit it for consideration. I might say it covers the veto message from the Governor on an identical bill, word for word. Not only does it raise the constitutional question but says that in the opinion of the then Attorney General, Mr. Reno, the bill was unconstitutional as drawn, but for other reasons the bill should not be enacted into law.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

On the question,

Will the House agree to the motion?

Mr. SCHMIDT. Mr. Speaker, I have no objection to this bill being recommitted to the Committee on State Government, inasmuch as it will affect the government of practically all of the municipal bodies of this state. It begins to look like a field day for those opposed to anything that has the name of Schmidt on it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1268, entitled:

An Act to further amend section two thousand four hundred seventy of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," by authorizing boroughs furnishing electricity to make contracts for the exchange of electrical current among themselves.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 167,
Senate Bill No. 160, Printer's No. 40,
Senate Bill No. 200, Printer's No. 368,
Senate Bill No. 218, Printer's No. 148,
Senate Bill No. 463, Printer's No. 266 and
Senate Bill No. 522, Printer's No. 271,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by further providing for emergency registration of nurses

The first section was read.

On the question,

Will the House agree to the section?

Mr. WESCOTT offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, line 19, by inserting a bracket before and after the word "twelve" and inserting immediately thereafter: "thirty-five."

Amend Sec. 1 (Sec. 3), page 3, line 20, by inserting a bracket before the word "where."

Amend Sec. 1 (Sec. 3), page 4, line 1, by inserting a bracket after the word "given" and inserting immediately thereafter: "which required the satisfactory completion of a course of training equivalent at least to the minimum requirements then in effect."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 658, entitled:

An Act to amend subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the compensation of auditors in districts of the third and fourth class.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 176, as follows:

An Act validating certain sheriffs' sales of real estate for non-payment of taxes and other municipal liens and validating the title to such real estate in the hands of purchasers their heirs grantees and assigns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All sheriffs' sales of real estate for the non-payment of taxes sewer liens pavement liens and other municipal liens heretofore held under the provisions of any act of Assembly where the liens for such taxes and other municipal claims were filed and where the taxes assessed or other municipal claims were actually due and unpaid are hereby made valid notwithstanding the fact that prior to such sales executions upon any judgments recovered upon any such taxes and other municipal claims have been by writ or fieri facias instead of by writ of levari facias and the titles to all such real estate in the hands of the purchasers thereof their heirs grantees and assigns are hereby declared to be good and valid to all intents and purposes

The provisions of this act shall not apply in an instance where the validity of any such sale or the title to the premises purchased thereat has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 254, as follows:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1052) is hereby further amended to read as follows

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding [ten years] fifty years in ten-year periods renewable at the option of the lessee on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of any State forest whether owned or leased by the Commonwealth as the department may deem suitable as a site for a temporary building to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes no lease entered into by the Department of Forests and Waters covering any hunting camp or cabin site shall be cancelled by the Commonwealth other than for the non-payment of rent or when the site is required for some public or departmental use Said temporary buildings shall not be used for permanent residential or commercial purposes the lessee shall have the right under the provisions of this act to remove any structure or building on the land leased to him at any time during the period of the lease or within one year following the termination of the lease

Section 2 Clause (e) of section one thousand eight hundred six of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

* * * * *

(e) To lease for a period not to exceed [ten years] fifty years in ten-year periods renewable at the option of the lessee on such terms as may be considered reasonable to any citizen or organization of this Commonwealth a portion of any State park whether owned or leased by the Commonwealth as may be suitable as a site for temporary buildings to be used for health recreational or educational purposes or for parking areas or concessions for the convenience and comfort of the public no lease entered into by the Department of Forests and Waters covering any hunting camp or cabin site shall be cancelled by the Commonwealth other than for the non-payment of rent or when the site is required for some public or departmental use Said temporary buildings shall not be used for permanent residential or commercial purposes the lessee shall have the right under the provisions of this act to remove any structure or building on the land leased to him at any time during the period of the lease or within one year following the termination of the lease

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,

Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 363, as follows:

An Act to amend section twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by authorizing the retirement board to fix a larger county annuity upon retirement for superannuation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" is hereby amended to read as follows

Section 12 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting for at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the members' annuity reserve account and (b) a county annuity to be fixed by the retirement board equal to one one-hundredth-twentieth (1-120) or one one-hundredth (1-100) of his average salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his average salary multiplied by each year of prior service but the total county annuity shall never exceed fifty per centum of the average salary

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 111, as follows:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropria-

tion and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 614 Revocation of Operating Privilege (a) Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of nolo contendere or was found guilty by a judge or jury of any of the crimes enumerated in this section the secretary shall forthwith revoke for a period of one (1) year from the date of revocation the operating privilege of any such person and where such person was convicted or entered a plea of guilty or nolo contendere of any one of the crimes enumerated in clauses (1) (2) (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid The clerk of the courts shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue

1 Operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicles owned by him or in his custody or control.

Where such person was convicted or entered a plea of guilty or nolo contendere for the second time of the crime of operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug the secretary shall forthwith permanently revoke the operating privilege of any such person Provided That after the lapse of three years from the date of revocation the Secretary may upon proof that such person has freed himself of the use of intoxicating liquor narcotics or habit producing drugs restore the operating privilege to such person

2 Using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application

3 Any crime punishable as a felony under the motor vehicle laws of this Commonwealth or any other felony in the commission of which a motor vehicle is used

4 Conviction of an operator of a motor vehicle involved in an accident resulting in injury or death to any person or damage to property upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Altshuler,	Frost,	Loftus,	Royer,
Amarando,	Gaffney,	Madigan,	Sax,
Andrews,	Gallagher,	McCormack,	Scanlon,
Bane,	George,	McCullough,	Schmidt,
Barkdoll,	Gibson,	McGee,	Scott,
Baumunk,	Glembocki,	McKinney,	Seyler,
Beaver,	Good,	McMillen,	Shoemaker,
Bednarek,	Goodling,	Mikula,	Smith, C. C.,
Blair,	Graybill,	Miller,	Smith, W. B.,
Bloom,	Green,	Milliken,	Snider,
Boles,	Greenwood,	Mintess,	Sollenberger,
Bomberger,	Greer,	Monroe,	Spencer,
Boorse,	Guarnieri,	Moore, C. E.,	Stank,
Bower,	Hagerty,	Moore, H. A.,	Sternberg,
Breisch,	Hall,	Munley,	Stimmel,
Breth,	Hamilton,	Murray,	Stuart,
Brown, W. E.,	Harney,	Nagel.	Swope,
Brunner,	Harris,	Najaka,	Tahl,
Bucchin,	Haudenshield,	Needham,	Taylor,
Cadwalader,	Helm,	Neff,	Thompson,
Clapper,	Herman,	Nixon,	Tompkins,
Clendening,	Hersch,	O'Dare,	Toomey,
Cole,	Hocker,	O'Donnell.	Varallo,
Coleman,	Hoffman,	Olsen,	Varner,
Conway,	Hoggard,	Orban,	Wachhaus,
Cooper,	Jennings,	Penglase,	Wagner,
Costa,	Jim,	Pentrack,	Wargo,
DeLong,	Johnson,	Peta,	Waterhouse,
Dennison,	Jones, G. E.,	Pettigrew,	Watkins,
Depuy,	Jump,	Pfaff,	Weidner,
Dougherty,	Keller,	Polen,	Weiss,
Driscoll,	Kemp,	Powers,	Welsh,
Duffy,	Kent,	Price, H. W., Jr.,	Westrick,
Elder,	Kirley,	Propert,	Wheeler,
Erb,	Kline,	Readinger,	Williams,
Evans,	Kohl,	Reagan,	Wood,
Ewing,	Kolankiewicz,	Reidenbach,	Yaffe,
Felton,	Kondrath,	Reilly, J. M.,	Yeakel,
Ferster,	Kratz,	Reynolds,	Yester,
Filo,	Kurtz,	Riley, R. L.,	Young,
Firmstone,	Lederer,	Robbins,	Ziegler,
Flack,	Lee,	Robertson,	Sorg,
Fleming,	Leisey,	Rose,	Speaker
Floyd,	Leonard,	Rosen,	
Fox,	Limper,	Rovansek,	

NAYS—23

Brandon,	Hunter,	Musto,	Schuster,
Brice,	Jenkins,	Petrosky,	Verona,
Cochran,	Jones, J. M.,	Posta,	Wescott,
Dalrymple,	Kamyk,	Price, R. A.,	Worley,
Guthrie,	Lovett,	Reese,	Yetzer,
Heatherington,	McNally,	Sarraf,	

NOT VOTING—8

Brown, H. S.,	Frank,	Krise,	Mills,
Dye,	Hewitt,	Mihm,	Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 403, entitled:

An Act to amend the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" designating the borough council as the board of revision making assessments made hereunder the basis for determining borrowing power and tax levies for borough purposes prohibiting use of assessments made under this act for county purposes and providing for appeals from such assessments

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. REAGAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for further consideration.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 569, as follows:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by designating all murder committed during the perpetration or attempt to perpetrate sodomy as murder of the first degree

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 701 Murder of the First and Second Degree All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of willful deliberate and premeditated killing or which shall be committed in the perpetration of or attempting to perpetrate any arson rape robbery burglary [or] kidnapping or sodomy shall be murder in the first degree All other kinds of murder shall be murder in the second degree The jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether the person is guilty of murder of the first or second degree If such person is convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Whoever is convicted of the crime of murder of the first degree is guilty of a felony and shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict The court shall impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life The clerk of the court wherein such conviction takes place shall within ten (10) days after such sentence of death transmit a full and complete record of the trial and conviction to the Governor

Whoever is convicted of the crime of murder of the second degree is guilty of a felony and shall for the first offense be sentenced to undergo imprisonment by separate or solitary confinement not exceeding twenty (20) years or fined not exceeding ten thousand dollars or both and for the second offense shall undergo imprisonment for the period of his natural life

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harris	Moore, H. A.,	Stank,
Brown, H. S.,	Harney,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Zorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 577, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring approval of State Council of Education and county boards of school directors before creation or affecting boundaries of third and fourth class districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred one two hundred three two hundred twenty-seven two hundred twenty-eight and three hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 201 How constituted all school districts shall remain as now constituted until changed as authorized by this act except as otherwise now or hereafter constituted each city incorporated town borough or township in this Commonwealth now existing or hereafter created shall constitute a separate school district to be designated and known as the "School District of . . ." provided that where any city incorporated town borough or township or a part of the school district remaining after its separation would constitute a third or fourth class school district it shall remain a part of the school district to which it formerly belonged until the change to a new school district is approved by the county board of school directors and the State Council of Education as hereinafter provided

Section 203 Creation of new cities boroughs and townships When a new school district is formed by the creation of a new city borough or township the Court of Common Pleas having jurisdicition shall determine and enter in its decree the class of school districts to which such new district if formed shall belong and if of the first or second [or third] class it shall thereupon become a new school district of such class If the newly created city borough or township would constitute a school district of the fourth class the Court of Common Pleas having jurisdiction shall so certify and a new school district shall be formed only if and when it is approved by the State Council of Education as hereinafter provided

Section 227 Filing Copy of Action Creating New District or Affecting Fourth Class District With Superintendent of Public Instruction Whenever a new school district is created by the creation of a new city borough township or independent school district or by the consolidation of two or more districts as a union district or an existing school district of the third or fourth class is affected by the annexation to a city or borough or township [or] of territory included within a school district of the third or fourth class the Clerk of the Courts or other proper officer shall within ten days thereafter make a certified copy of the petition therefore agreement or ordinance and the decree or order creating such new city borough township or independent school district or union school district or of the decree of the court or vote of the electors affecting such annexation and mail the same to the Superintendent of Public Instruction Department of Public Instruction Harrisburg Pennsylvania

Section 228 Approval or Disapproval of Creation or Change of Fourth Class Districts (a) If the newly created city borough or township or independent school district or union school district or the part of a school district remaining after the separation would constitute a school district of the third or fourth class the receipt of said certified copy shall be deemed an application for the creation of a new school district of the third or fourth class or change in the boundaries of existing school district of the third or fourth class and the Superintendent of Public Instruction shall within sixty days thereafter cause the State Council of Education to be convened the Council shall thereupon consider such application and with the approval of the County Board of School Directors determine whether such new school district or independent school district or union school district or change in the boundaries of an existing school district of the third or fourth class is desirable and whether the welfare of the pupils within the territory affected thereby will be promoted by the creation of such district or change in the boundaries of such existing district

(b) If the Council shall approve such application it shall certify its findings and its approval of such new district or change in such existing district thereon and transmit a certified copy thereof to the Clerk of the Courts or other proper officer from whom the application was received who shall file the same in such original procedings whereupon the new city borough or township will become a new school district of the third or fourth class or the school district of the third or fourth class remaining after such annexation shall constitute a separate school district as so changed

(c) If in the judgment of the Council or of the County Board of School Directors the application should not be granted [it] the council shall endorse thereon "not approved" and transmit a certified copy thereof to the Clerk of the Courts or other proper officer from whom the application was received who shall file the same in the original proceedings In such event the boundaries of the existing school districts shall remain unchanged provided the State Council of Education [may] for cause shown upon subsequent application by ten taxables of a school district of the third or fourth class not coterminous with a city borough incorporated town or township may with the approval of the County Board of School Directors vacate such refusal and may approve the creation of such new district of the third or fourth class or change in boundaries of an existing district of the third or fourth class and thereupon the same proceedings shall be had as herein provided upon the original application and with like effect

Section 307 Newly Formed Districts Where a new school district of the first second or third class is formed by the creation of a new city borough or township and where a new school district of the third or fourth class is so formed and is approved by the County Board of School Directors and by the State Council of Education the Court of Common Pleas having jurisdiction shall appoint a Board of School Directors for such new school district which shall serve until the first Monday of December next following the first municipal election occurring more than thirty (30) days after the formation of such new school district

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker —

The SPEAKER. For what purpose does the gentleman rise?

Mr. ANDREWS. Mr. Speaker, to find out from the sponsor just what this bill does.

The SPEAKER. Will the gentleman from Allegheny, Mr. Stuart, permit himself to be interrogated?

Mr. STUART. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I do not want to interrogate the gentleman. I just want him to tell us what this bill does.

The SPEAKER. Will the gentleman from Allegheny explain the purpose of the bill?

Mr. STUART. Mr. Speaker, the purpose of the bill is to protect small, weak school districts through the creation of new cities, boroughs, towns and townships, or through annexation proceedings.

It sometimes happens when a new borough is created out of a township that the resultant school district in the township is too small to take care of itself. By taking care of itself I mean adequately provided with proper facilities.

This bill provides that when a consolidation takes place

that the school district shall remain as it is unless approved by the State Board of Education and by the county board of school directors. What it does is to place a third class school district under state regulations as is now done in effect in fourth class districts.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Altshuler,	Gallagher,	Lovett,	Rose,
Amarando,	George,	Madigan,	Rosen,
Andrews,	Gibson,	McCormack,	Rovansek,
Bane,	Glembocki,	McCullough,	Royer,
Barkdoll,	Good,	McGee,	Sarraf,
Baumunk,	Goodling,	McKinney,	Sax,
Beaver,	Graybill,	McMillen,	Scanlon,
Bednarek,	Green,	McNally,	Schmidt,
Blair,	Greenwood,	Mihm,	Schuster,
Bloom,	Greer,	Mikula,	Scott,
Bomberger,	Guarnieri,	Miller,	Seyler,
Boorse,	Guthrie,	Milliken,	Shoemaker,
Bower,	Hagerty,	Mills,	Smith, C. C.,
Brandon,	Hall,	Mintess,	Smith, W. B.,
Breisch,	Hamilton,	Monroe,	Snider,
Breth,	Harney,	Moore, C. E.,	Sollenberger,
Brice,	Harris,	Moore, H. A.,	Spencer,
Brown, H. S.,	Haudenshield,	Moran,	Stank,
Brown, Wm. E.,	Heatherington,	Munley,	Sternberg,
Brunner,	Helm,	Murray,	Stimmel,
Bucchin,	Herman,	Musto,	Stuart,
Cadwalader,	Hersch,	Nagel,	Swope,
Clapper,	Hewitt,	Najaka,	Tahl,
Clendening,	Hocker,	Needham,	Taylor,
Cochran,	Hoffman,	Neff,	Thompson,
Cole,	Hoggard,	Nixon,	Tompkins,
Coleman,	Hunter,	O'Dare,	Toomey,
Conway,	Jenkins,	O'Donnell,	Varallo,
Cooper,	Jennings,	Olsen,	Varner,
Costa,	Jim,	Orban,	Verona,
Dalrymple,	Johnson,	Penglase,	Wachhaus,
DeLong,	Jones, G. E.,	Pentrack,	Wagner,
Dennison,	Jones, J. M.,	Peta,	Wargo,
Depuy,	Jump,	Petrosky,	Waterhouse,
Dougherty,	Kamyk,	Pettigrew,	Watkins,
Driscoll,	Keller,	Pfaff,	Weidner,
Duffy,	Kemp,	Polen,	Weiss,
Dye,	Kondrath,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Readinger,	Williams,
Felton,	Kolankiewicz,	Reese,	Wood,
Ferster,	Kratz,	Propert,	Worley,
Firmstone,	Kurtz,	Reagan,	Yaffe,
Flack,	Lederer,	Reidenbach,	Yeakel,
Fleming,	Lee,	Reilly, J. M.,	Yester,
Floyd,	Leisey,	Reynolds,	Yetzer,
Fox,	Leonard,	Riley, R. L.,	Young,
Frank,	Limper,	Robbins,	Ziegler,
Frost,	Loftus,	Robertson,	Sorg,
Gaffney,			Speaker

NAYS—2

Boles,	Filo,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 604, as follows:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 331) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registration to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of American (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (AMVETS) the Marine Corps League or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (1) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this

Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions [but all] No fee shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 877, entitled:

An Act to amend sections five ten and twenty-two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial homeworkers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring permits and homeworkers' certificates and prescribing the fees therefor conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by providing for exemptions in certain cases

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895, as follows:

An Act to further amend the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by giving additional preferences to certain disabled soldiers and their wives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and four of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" are hereby amended to read as follows

Section 3 Whenever any soldier shall successfully pass a civil service appointment or promotional examination for a public position under the Commonwealth or any political subdivision thereof and shall thus establish that he possesses the qualifications required by law for appointment to or promotion in such public position such soldier's examination shall be marked or graded an additional ten points or in the case of a disabled soldier having a service connected disability of ten per cent or more as recognized by the Veterans Administration fifteen points above the mark or grade credited for the examination and the total mark or grade thus obtained shall represent the final mark or grade of such soldier and shall determine his standing on any eligible or promotional list certified or furnished to the appointing or promoting power

Section 4 Whenever any soldier possesses the requisite qualifications and is eligible to appointment to or promotion in a public position where no such civil service examination is required the appointing power in making an appointment or promotion to a public position shall give [preference to such soldier] first preference to a disabled soldier having a service connected disability

of ten per cent or more as recognized by the Veterans Administration and second preference to any other soldier

Whenever any soldier possesses the requisite qualifications and his name appears on any eligible or promotional list certified or furnished as the result of any such civil service examination the appointing or promoting power in making an appointment or promotion to a public position shall give [preference to such soldier] first preference to a disabled soldier having a service connected disability of ten per cent or more as recognized by the Veterans Administration and second preference to any other soldier notwithstanding that his name does not stand highest on the eligible or promotional list

In making an appointment or promotion to public office where such a civil service examination is required the appointing or promotional power [may give preference to any soldier] shall give first preference to a disabled soldier having a service connected disability of ten per cent or more as recognized by the Veterans Administration and second preference to any soldier who has passed the required examination for appointment or promotion to such position and possesses the requisite qualifications although his name does not appear on the eligible or promotional list certified or furnished to the appointing or promoting power

Section 2 Said act is hereby amended by adding immediately following section six point one a new section to read as follows

Section 6.2 Whenever a reduction in force is necessary in any public position or on public works of this Comconwealth and its political subdivisions a soldier with a service rating in his position of satisfactory or better or its numerical equivalent shall be retained in preference to persons who are not soldiers notwithstanding any other provisions of law to the contrary

Section 3 Section seven of said act is hereby amended to read as follows

Section 7 The same preferential rating given to soldiers under the provisions of this act shall be extended to include the widows [and wives of disabled] of soldiers and the wives of disabled soldiers which soldiers by reason of their disability are unable to qualify for appointment to a public position along the lines of their usual occupation or employment

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Bower,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 911, as follows:

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 613) is hereby further amended to read as follows

Section 6 That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the [Pennsylvania] State Board of Pharmacy when the registration is proved to have been obtained by fraudulent means or suspended or revoked [upon being convicted for a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States] for the following reasons

(1) Conviction of a second violation in connection with

the practice of pharmacy of any law of this Commonwealth or of the United States

(2) Paying rebates to physicians or entering into an agreement with a physician for payment in any form for the recommending of the professional services of either party

Before any registration is suspended or revoked the holder of such registration certificate shall be given a hearing before the Board of Pharmacy after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Guarnieri,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Pettigrew,	Watkins,
Dougherty,	Jump,	Petrosky,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 932, as follows:

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 926) is hereby further amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said depu-

ties clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the city treasurer as tax collector his deputies clerks and assistants as fixed under the provisions of this section shall in each case be considered as salary or compensation for purposes of any pension or retirement act in effect in such city and the fixing authorities other than the institution district shall contribute pay or guarantee to the pension or retirement fund the amount which according to law the city is required to contribute pay or guarantee to such fund by reason of the fact that the salaries herein provided for are considered as salaries or compensation of such employes for the calculation of pension or retirement rights and liabilities Each taxing district may annually set aside apportion and appropriate out of all taxes and income a sum sufficient for such payments or guarantees

The salaries of the deputies clerk and assistants of the city treasurer as tax collector as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Smith, C. C.,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 980, Printer's No. 559

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1047, as follows:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth prescribing procedure for the obtaining of jurisdiction over the judgment debtor the raising of defenses thereto appeals therefrom and execution thereon and saving existing methods of enforcing the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act

(1) "Foreign judgment" means any judgment decree or order of a court of the United States or of any state or territory which is entitled to full faith and credit in this State

(2) "Register" means to file a foreign judgment in a court of this State

(3) "Levy" means to take control of or create a lien upon property under any judicial writ or process whereby satisfaction of a judgment may be enforced against such property

(4) "Judgment debtor" means the party against whom a foreign judgment has been rendered

Section 2 Registration of Judgment On application made

within the time allowed for bringing an action on a foreign judgment in this State any person entitled to bring such action may have a foreign judgment registered in any court of this State having jurisdiction of such an action

Section 3 Application for Registration A petition for registration shall set forth a copy of the judgment to be registered the date of its entry and the record of any subsequent entries affecting it such as levies of execution payments in partial satisfaction and the like all authenticated in the manner authorized by laws of the United States or of this State and a prayer that the judgment be registered The clerk of the registering court shall notify the clerk of the court which rendered the original judgment that application for registration has been made and shall request him to file this information with the judgment

Section 4 Personal Jurisdiction At any time after registration the petitioner shall be entitled to have summons issued and served upon the judgment debtor as in an action brought upon the foreign judgment in any manner authorized by the law of this State for obtaining jurisdiction of the person

Section 5 Notice in absence of Personal Jurisdiction If jurisdiction of the person of the judgment debtor cannot be obtained a summons clearly designating the foreign judgment and reciting the fact of registration the court in which it is registered and the time allowed for pleading shall be sent by the clerk of the registering court by registered mail to the last known address of the judgment debtor Proof of such mailing shall be made by certificate of the clerk

Section 6 Levy At any time after registration and regardless of whether jurisdiction of the person of the judgment debtor has been secured or final judgment has been obtained a levy may be made under the registered judgment upon any property of the judgment debtor which is subject to execution or other judicial process for satisfaction of judgments

Section 7 New Personal Judgment If the judgment debtor fails to plead within thirty days after jurisdiction over his person has been obtained or if the court after hearing has refused to set the registration aside the registered judgment shall become a final personal judgment of the court in which it is registered

Section 8 Defenses Any defense which under the law of this State may be asserted by the defendant in an action on the foreign judgment may be presented by appropriate pleadings and the issues raised thereby shall be tried and determined as in other civil actions Such pleadings must be filed within thirty days after personal jurisdiction is acquired over him or within sixty days after the mailing of the notice prescribed in section five

Section 9 Pendency of Appeal If the judgment debtor shows that an appeal from the original judgment is pending or that he is entitled and intends to appeal therefrom the court shall on such terms as it thinks just postpone the trial for such time as appears sufficient for the appeal to be concluded and may set aside the levy upon proof that the defendant has furnished adequate security for satisfaction of the judgment

Section 10 Effect of Setting Aside Registration An order setting aside a registration constitutes a final judgment in favor of the judgment debtor

Section 11 Appeal An appeal may be taken by either party from any judgment sustaining or setting aside a registration on the same terms as an appeal from a judgment of the same court

Section 12 New Judgment Quasi In Rem If personal jurisdiction of the judgment debtor is not secured within thirty days after the levy and he has not within thirty days after the mailing of the notice prescribed by section five acted to set aside the registration the registered judgment shall be a final judgment quasi in rem of the court in which it is registered binding upon the judgment debtor's interest in property levied upon and the court shall enter an order to that effect

Section 13 Sale under Levy Sale under the levy may be held at any time after final judgment either personal or quasi in rem but not earlier except as otherwise provided by law for sale under levy on perishable goods Sale and distribution of the proceeds shall be made in accordance with the law of this State

Section 14 Interest and Costs When a registered foreign judgment becomes a final judgment of this State the court shall include as part of the judgment interest payable on the foreign judgment under the law of the state in which it was rendered and the cost of obtaining the authenticated copy of the original judgment The court shall include as part of its judgment court costs incidental to the proceeding in accordance with the law of this State

Section 15 Satisfaction of Judgment Satisfaction either partial or complete of the orginal judgment or of a judgment entered thereupon in any other state shall operate to the same extent as satisfaction of the judgment in this State except as to costs authorized by section fourteen

Section 16 Optional Procedure The right of a judgment creditor to bring an action to enforce his judgment instead of proceedings under this act remains unimpaired

Section 17 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 18 Short Title This act may be cited as the "Uniform Enforcement of Foreign Judgments Act"

Section 19 Repeal All act or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Frost,	Limper,	Rose,
Altshuler,	Gaffney,	Loftus,	Rosen,
Andrews,	Gallagher,	Lovett,	Rovansek,
Bane,	George,	Madigan,	Royer,
Barkdoll,	Gibson,	McCormack,	Sarraf,
Baumunk,	Glembocki,	McCullough,	Sax,
Beaver,	Good,	McGee,	Scanlon,
Bednarek,	Goodling,	McKinney,	Schmidt,
Blair,	Graybill,	McMillen,	Schuster,
Bloom,	Green,	McNally,	Scott,
Boles,	Greenwood,	Mihm,	Seyler,
Bomberger,	Greer,	Mikula,	Shoemaker,
Boorse,	Guarnieri,	Miller,	Smith, C. C.,
Bower,	Guthrie,	Milliken,	Smith, W. B.,
Brandon,	Hagerty,	Mills,	Snider,
Breisch,	Hall,	Mintess,	Sollenberger,
Brice,	Hamilton,	Monroe,	Spencer,
Brown, H. S.,	Harney,	Moore, C. E.,	Stank,
Brown, W. E.,	Harris,	Moore, H. A.,	Sternberg,
Brunner,	Haudenshield,	Moran,	Stimmel,
Bucchin,	Heatherington,	Munley,	Stuart,
Cadwalader,	Helm,	Murray,	Swope,
Clapper,	Herman,	Musto,	Tahl,
Clendening,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,
Cole,	Hocker,	Neff,	Tompkins,
Coleman,	Hoffman,	Nixon,	Toomey,
Conway,	Hoggard,	O'Dare,	Varallo,
Cooper,	Hunter,	O'Donnell,	Varner,
Costa,	Jenkins,	Olsen,	Verona,
Dalrymple,	Jennings,	Orban,	Wachhaus,
DeLong,	Jim,	Penglase,	Wagner,
Dennison,	Johnson,	Pentrack,	Wargo,
Depuy,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins,
Driscoll,	Jump,	Pettigrew,	Weidner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Powers,	Wescott,

Erb,	Kent,	Price, H. W., Jr.,	Westrick,
Evans,	Kirley,	Price, R. A.,	Wheeler,
Ewing,	Kline,	Propert,	Williams,
Felton,	Kohl,	Readinger,	Wood,
Ferster,	Kolankiewicz,	Reagan,	Worley,
Filo,	Kondrath,	Reese,	Yaffe,
Firmstone,	Kratz,	Reidenbach,	Yeakel,
Flack,	Kurtz,	Reilly, J. M.,	Yester,
Fleming,	Lederer,	Reynolds,	Yetzer,
Floyd,	Lee,	Riley, R. L.,	Young,
Fox,	Leisey,	Robbins,	Ziegler,
Frank,	Leonard,	Robertson,	Sorg,
			Speaker

NAYS—3

Breth,	Nagel,	Posta,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act to amend sections three hundred sixteen and three hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the method of filling vacancies in the boards of school directors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three hundred sixteen and three hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 316 Vacancies in Majority of Members In case vacancies occur whereby the offices of a majority of the members of any board of school directors other than the board of school directors of a school district of the first class becomes vacant [the remaining members shall fill such vacancies one at a time giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the then qualified members of the board in making further appointments until a majority of the board has been secured when the said majority shall fill the remaining vacancies at a meeting attended by the majority of said board all appointees shall receive a majority of the votes of the members present at any such meeting] such vacancies shall be filled by the court of common pleas of the county in which such school district is situated The persons selected to fill such vacancies shall hold their offices if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election eligible persons shall be elected to fill the unexpired terms.

Section 317 Vacancies in All Members If at any time vacancies should exist or occur in the membership of all the members of any board of school directors in any school district other than a school district of the first class the court of common pleas of the county in which such district or the largest part in area thereof is located shall after ten (10) days from the time such vacancies exist or occur appoint a board of properly qualified persons who shall serve if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election a board of directors for such district shall be elected as herein provided in such manner that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding elections in other school districts of the same class Whenever a vacancy of the entire membership of a board of school directors in any school district of the fourth class occurs the county superintendent of schools may enter and take full charge of and at the expense of the district maintain the schools thereof in accordance with the provisions of the school laws of the Commonwealth under the direction of the Superintendent of Public Instruction and may continue in charge thereof until a board of school directors has been appointed and has qualified

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRANDON. Mr. Speaker, this bill does not affect any school district within my district. The only reason I oppose this bill is a matter of principle.

There is much talk at the present time about taking the courts out of politics or taking politics out of the courts. Therefore, I think it is a very bad thing as a matter of principle for courts to make political appointments in cases where vacancies of any kind occur at any place or in any city. Because I do not believe that politics should be in the courts, I do not think the courts should be in politics, for that reason I oppose this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Altshuler,	Frost,	Leonard,	Rose,
Amarando,	Gaffney,	Limper,	Rosen,
Andrews,	Gallagher,	Loftus,	Rovansek,
Bane,	George,	Lovett,	Royer,
Barkdoll,	Gibson,	Madigan,	Sax,
Baumunk,	Glembocki,	McCormack,	Scanlon,
Beaver,	Good,	McCullough,	Schmidt,
Bednarek,	Goodling,	McGee,	Scott,
Blair,	Graybill,	McKinney,	Seyler,
Bloom,	Green,	McMillen,	Shoemaker,
Boles,	Greenwood	McNally,	Smith, C. C.,
Bomberger,	Greer,	Mihm,	Smith, W. B.,
Boorse,	Guarnieri,	Mikula,	Snider,
Bower,	Guthrie,	Miller,	Sollenberger,
Breisch,	Hagerty,	Milliken,	Spencer,
Brice,	Hall,	Mills,	Stank,
Brown, H. S.,	Hamilton,	Mintess,	Sternberg,
Brown, W. E.,	Harney,	Monroe,	Stimmel,
Brunner,	Harris,	Moore, C. E.,	Stuart,
Bucchin,	Haudenshield,	Moore, H. A.,	Swope,
Cadwalader,	Heatherington,	Moran,	Tahl,
Clapper,	Helm,	Munley,	Taylor,
Clendening,	Herman,	Murray,	Thompson,
Cochran,	Hersch,	Najaka,	Tompkins,
Cole,	Hewitt,	Needham,	Toomey,
Coleman,	Hocker,	Neff,	Varallo,
Conway,	Hoffman,	Nixon,	Varner,
Cooper,	Hoggard,	O'Dare,	Verona,
Costa,	Hunter,	O'Donnell,	Wachhaus,
Dalrymple,	Jenkins,	Olsen,	Wagner,
DeLong,	Jennings,	Orban,	Wargo,
Dennison,	Jim	Penglase,	Waterhouse,
Depuy,	Johnson,	Pentrack,	Watkins,
Dougherty,	Jones, G. E.,	Peta,	Weidner,
Driscoll,	Jones, J. M.,	Petrosky,	Weiss,

Duffy,	Jump,	Pettigrew,	Welsh,
Dye,	Kamyk,	Pfaff,	Wescott,
Elder,	Keller,	Polen,	Westrick,
Erb,	Kemp,	Powers,	Wheeler,
Evans,	Kent,	Price, H. W., Jr.,	Williams,
Ewing,	Kirley,	Price, R. A.,	Wood,
Felton,	Kline,	Propert,	Worley,
Ferster,	Kohl,	Readinger,	Yaffe,
Filo,	Kolankiewicz,	Reagan,	Yeakel,
Firmstone,	Kondrath,	Reese,	Yester,
Flack,	Kratz,	Reidenbach,	Yetzer,
Fleming,	Kurtz,	Reilly, J. M.,	Young,
Floyd,	Lederer,	Riley, R. L.,	Ziegler,
Fox	Lee,	Robbins,	Sorg,
Frank,	Leisey,	Robertson,	Speaker

NAYS—8

Brandon,	Musto,	Posta,	Sarraf,
Breth	Nagel,	Reynolds,	Schuster,

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1197, as follows:

An Act to repeal the act approved the third day of April one thousand eight hundred seventy-two (P. L. 751) entitled "An act to prohibit the use of billiard tables bowling-alleys dice or card tables in the township of Wyalusing in the county of Bradford" in so far as it prohibits the keeping or using of bowling-alleys in that portion of the former township which is now the Borough of Wyalusing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of April one thousand eight hundred seventy-two (P. L. 751) entitled "An act to prohibit the use of billiard tables bowling-alleys dice or card tables in the township of Wyalusing in the county of Bradford" is hereby repealed in so far as it prohibits the keeping or using of bowling-alleys in that portion of the former township which is now the Borough of Wyalusing

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I wish to inquire from the sponsor of this bill whether it is true that since 1872 there has been a Paradise in Pennsylvania in which there were no cards, no dice, no bowling alleys and no billiard tables. Has such a place existed? I would like to hear from the sponsor.

The SPEAKER. Will the gentleman from Bradford, Mr. Madigan, permit himself to be interrogated?

Mr. MADIGAN. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. MADIGAN. According to law, yes, Mr. Speaker.

Mr. ANDREWS. I thank the gentleman. That is all.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1306, as follows:

An Act to further amend the first paragraph of section five hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners coun-

ties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by fixing the annual registration fee for certain trailers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section five hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 502 Trailers [Trailers] The fee for the annual registration of trailers upon which well drilling machinery has been permanently mounted and which is used exclusively for well drilling and transportation of supplementary machinery and appliances shall be five dollars ($5) All other trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into seven (7) classes and the fee for annual registration of such trailers in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer exclusive of the load to be transported shall be as follows

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Lovett,	Rose,
Amarando,	Gaffney,	Madigan,	Rosen,
Andrews,	Gallagher,	McCormack,	Rovansek,
Bane,	George,	McCullough,	Royer,
Barkdoll,	Gibson,	McGee,	Sarraf,
Baumunk,	Glembocki,	McKinney,	Sax,
Beaver,	Good,	McMillen,	Scanlon,
Bednarek,	Goodling,	McNally,	Schmidt,
Blair,	Graybill,	Mihm,	Schuster,
Bloom,	Green,	Mikula,	Scott,
Boles,	Greenwood,	Miller,	Seyler,
Bomberger,	Greer,	Milliken,	Shoemaker,
Boorse,	Guarnieri,	Mills,	Smith, C. C.,
Bower,	Guthrie,	Mintess,	Smith, W. B.,
Brandon,	Hagerty,	Monroe,	Snider,
Breisch,	Hall,	Moore, C. E.,	Sollenberger,
Breth,	Hamilton,	Moore, H. A.,	Spencer,
Brice,	Harney,	Moran,	Stank,
Brown, H. S.,	Harris,	Munley,	Sternberg,
Brown, W. E.,	Haudenshield,	Murray,	Stimmel,
Brunner,	Heatherington,	Musto,	Stuart,
Bucchin,	Helm,	Nagel,	Swope,
Cadwalader,	Herman,	Najaka,	Tahl,
Clapper,	Hersch,	Needham,	Taylor,
Clendening,	Hewitt,	Loftus,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Yester,
Dye,	Kemp,	Posta,	Yetzer,
Elder,	Kent,	Powers,	Welsh,
Erb,	Kirley,	Price, H. W., Jr.,	Wescott,
Evans,	Kline,	Price, R. A.,	Westrick,
Ewing,	Kohl,	Propert,	Wheeler,
Ferster,	Kolankiewicz,	Readinger,	Williams,
Felton,	Kondrath,	Reagan,	Wood,
Filo,	Kratz,	Reese,	Worley,
Firmstone,	Kurtz,	Reidenbach,	Yaffe,
Flack,	Lederer,	Reilly, J. M.,	Yeakel,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1319, as follows:

An Act to amend sections four and ten of the act approved the second day of July one thousand nine hundred and forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by decreasing the amount of the permanent tax imposed thereunder by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and ten of the act approved the second day of July one thousand nine hundred and forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire im-

posing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" are hereby amended to read as follows

Section 4 Imposition of Tax Exemptions [An] A permanent excise tax at the rate of [four] three cents [(4c)] (3c) a gallon or a fractional part thereof is hereby imposed on all users of fuel upon the use as herein defined of such fuel by any person within this Commonwealth when such fuel is used in whole or in part in an internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways to be computed in the manner hereinafter set forth in this act The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitiution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels Provided further however That no tax is hereby imposed upon (1) any fuel that is used by the United States Government or (2) upon any fuel brought into this State in the fuel supply tank of the motor vehicle directly connected to the motor or (3) upon any fuel used in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or the equipment

In addition to such tax an additional State excise tax of two cents (2¢) a gallon or a fractional part thereof is hereby imposed and assessed on all users of fuel upon the use as herein defined of such fuel by any person within this Commonwealth when such fuel is used in whole or in part in an internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways for the period beginning the first day of June one thousand nine hundred and forty-nine and ending on the thirty-first day of May one thousand nine hundred and fifty-one the tax shall be payable upon fuels used by the Commonwealth and the political subdivisions thereof

Section 10 Disposition and Use of Tax The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

Section 2 Effective Date This act shall become effective on the first day of June one thousand nine hundred and forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrensce.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 5, as follows:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Adoption and Amendment of City Charters

Section 1 Cities Empowered to Adopt and Amend Charters Any city of the first class may frame and adopt a charter for its own government and may amend its charter whether the same has been originally adopted under the provisions of this act or provided by local special or general law

Section 2 Initiation of Proceedings through Charter Commission

(a) The city council of any city of the first class by a two-thirds vote of its elected members may or upon petition presented to the city council and if filed as hereinafter provided in the form prescribed by the city council signed by not less than twenty thousand registered electors of the city shall without undue delay provide by ordinance for the appointment of a commission to frame a new charter of the city and for giving public notice of the passage of said ordinance Each elector signing such petition shall add

to his signature his occupation and residence and the date of signing Signatures to the said petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person not necessarily a signer and not necessarily the same person as on other sheets that to the best of affiant's knowledge and belief the signers are registered electors of the city that they signed with full knowledge of the contents of the petition and that their residences are correctly given

(b) The clerk of the city council of the city shall file with the mayor of the city and with the Secretary of the Commonwealth a copy of such ordinance certified by him within the five days next following its final passage and shall also cause the public notice to be given as provided in the said ordinance

Section 3 Appointment of Members of Commission Within thirty days after the final passage of the said ordinance the president of the city council and the mayor of the city shall appoint a commission to frame a new charter consisting of fifteen registered electors of the city nine of whom shall be appointed by the president of the city council and six of whom shall be appointed by the mayor provided however that not more than six of the members appointed by the president of the city council of the city and not more than four of the members appointed by the mayor of the city shall be enrolled members of the same political party

Section 4 Vacancies Any vacancy in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the remaining members of the commission by appointing as a member of the commission a registered elector of the city enrolled in the same political party as the member whom such appointee shall succeed

Section 5 Organization of Commission Framing of Proposed New Charter The mayor of the city shall call a meeting of the members of the charter commission so appointed within thirty days after their appointment to be held at a time and place fixed by him in his call and at such meeting the commission shall organize by selecting from their number a chairman and a secretary adopt rules to govern its proceedings and proceed to frame a new charter for the government of such city All meetings of the commission shall be open to the public except when the commission may desire an executive session All actions of the commission shall be by a majority vote of all members

Section 6 Amendments to Charter Amendments to the charter for the government of any city may be proposed by a resolution of the city council adopted with the concurrence of two-thirds of its elected members Amendments to a charter adopted under the provisions of this act may also be proposed by a petition presented to the city council of the city Such petition shall be in the form prescribed by the city council and shall be signed by not less than twenty thousand registered electors of the city and shall set forth the text of the proposed amendments and may designate and authorize not less than three nor more than five of the signers thereto to approve any alteration or change in the form or language or any restatement of the text of the proposed amendments which may be made by the city solicitor or head of the department of law of the city as provided in Section 7 of this act Each elector signing such petition shall add to his signature his occupation and residence and the date of signing signatures to the said petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person not necessarily a signer and not necessarily the same person as on other sheets that to the best of affiant's knowledge and belief the signers are registered electors of the city that they signed with full knowledge of the contents of the petition and that their residences are correctly given upon the filing of such petition as hereinafter provided the presiding officer of the city council shall without undue delay submit for the consideration of the city council the question as to whether the amendments proposed thereby shall be submitted to the qualified electors of the city for their approval or disapproval if the city council by a resolution adopted with the concurrence of a majority of its elected members shall so determine such proposed amendments shall be submitted to the qualified electors of the city for their approval or disapproval otherwise the petition shall be deemed denied Upon the adoption A resolution either proposing amendments or to submit to the qualified electors of the city amendments proposed by a petition signed by registered electors the city council shall forthwith provide by ordinance for the submission of the proposed amendments to the qualified electors of the city for their approval or disapproval at a spectial election on the day fixed and designated in the ordinance in accordance with the provisions of Section 10 of this act

Section 7 Examination of petitions filing rejection when any petition is presented to the city council of the city under or pursuant to the provisions of subsection (a) of Section 2 of Section 6 of this act it shall be the duty of the clerk of the city council with the assistance and advice of the city solicitor or head of the department of law of the city to examine such petition No such petition shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material errors made after signing without the consent of the signers or (c) it does not contain a sufficient number of genuine signatures as required by this act Provided however That although not hereby required so to do the clerk of the city council may question the genuineness of any signature or signatures appearing thereon and if he shall thereupon find that any such signature or signatures are not genuine such signature or signatures shall be disregarded by him in determining whether the petition contains a sufficient number of signatures as required by this act or (d) in the case of amendments proposed in the petition if such proposed amendments as set forth in the petition are not in accordance with the provisions of the Constitution of the United States or of the Constitution or Laws of the Commonwealth of Pennsylvania or of this act or are not stated in such form or language as may be intelligently or properly submitted to the electors for approval or disapproval Provided however That the city solicitor or head of the department of law of the city shall have authority to and may alter or change the form or language of or restate the text of the proposed amendments by and with the approval of such signers of the petition who may have been authorized therein to approve any such alteration change or restatement and provided further That if the form or language of such proposed amendments are thus altered or changed or if the proposed amendments are thus restated the defect arising because of the original form or language in which the proposed amendments were stated shall be deemed corrected the invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet The action of the clerk of the city council in rejecting and refusing to file any petition may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the tenth day next following the day it was presented to the city council unless such application for a writ of mandamus shall be made and filed in the said court of common pleas within ten days after the refusal of the clerk of city council to file the petition the court shall be without jurisdiction to entertain or consider any application for a writ of mandamus or any other proceeding to compel the filing of the petition Provided however That the clerk of the city council shall be entitled to a reasonable time in which to examine any such petition and to summon and interrogate the persons presenting the petition or any of the signers thereof or any of the affiants to any of the appended or accompanying affidavits and his re-

tention of such petition for the purpose of making such examination or interrogation shall not be construed as the filing thereof

Section 8 Objections to Petitions Any petition presented to the city council of the city under or pursuant to the provisions of sub-section (a) of Section 2 or of Section 6 of this act and if filed as hereinbefore provided shall be deemed to be valid unless within seven days after the filing of such petition a petition is presented to the court of common pleas of the proper county by not less than one hundred registered electors of the city specifically setting forth the objections thereto and praying that the said petition be set aside A copy of said petition presented to the court of common pleas shall within said period be served on the clerk of the city council of the city Upon the presentation of such a petition the court shall make an order fixing the time for hearing which shall not be later than ten days after the presentation of the petition to the court and specifying the time and manner of notice by public advertising or otherwise that shall be given of such hearing on the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and shall finally determine said matter not later than fifteen days after the last day for presentation of such petition to the court If the court shall find that such petition is defective under the provisions of Section 7 of this act or does not contain a sufficient number of genuine signatures of registered electors entitled to sign the same under the provisions of this act it shall be set aside if the objections relate to material errors or defects apparent on the face of the petition or on the face of the accompanying or appended affidavits the court after hearing may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify In case any such petition is dismissed the court shall make such order as to the payment of the costs of the proceeding including witness fees as it shall deem just

Section 9 Filing and Distribution of Proposed Charters or Amendment Framing of Ballot Question The new charter proposed by the commission or the proposed amendments which the city council of the city shall have provided by ordinance for submission to the qualified electors of the city for their approval or disapproval as provided in Section 6 of this act shall be filed with the city council which shall thereupon cause said proposal or proposals together with the form of the question or questions hereinafter provided for to be printed in pamphlet form in sufficient number for general distribution The said pamphlets shall be made ready for distribution at least twenty-eight days before the election at which the proposals aforesaid are to be voted upon by the electors and the said proposals together with the said ballot questions shall also be published once a week for three weeks in at least two newspapers of general circulation in the city Such publications shall appear during the three weeks immediately preceding the election at which the vote is to be taken upon said proposals Each ballot question shall be framed in brief form of not more than seventy-five words by the commission proposing the new charter or by the city council of the city in the case of amendments The said questions shall be stated in the report of the commission or in the ordinance of the city council Whenever a proposed new charter or amendments shall propose any change in the manner of selection of elected city officers such proposal and the necessary ballot question shall be stated separately from the remainder of the proposed new charter in the report or ordinance as the case may be and in the publications herein required The commission may require that its proposed charter be submitted in two or more parts so arranged that corresponding parts of the existing charter shall remain in effect if one or more of such parts are not adopted and may also submit alternative charters or alternative provisions to supersede designated portions of the proposed charter if adopted In such case the commission shall prescribe the form of questions in such a manner as will clearly indicate the effect of the approval of such questions All amendments to the charter shall be separately submitted. The clerk of the city council shall within five days after the filing of a new charter proposed by a charter commission or within five days after final enactment of an ordinance by the city council as foresaid providing for submission of amendments to its charter certify an exact copy of the text of such new charter or amendments together with the necessary ballot questions to the county board of elections of the county wherein such city is situate The county board of elections shall cause the said ballot questions to be properly printed on the ballots or ballot labels

Section 10 Submission of Charter or Amendments to Vote The proposed new charter or amendments shall be submitted to the electors for approval or disapproval by the use of the ballot questions framed as aforesaid at a special election occurring more than forty-five days after the proposed new charter is filed with the city council of the city or the final enactment of an ordinance by the city council providing for the submission of amendments as aforesaid In the case of a proposed new charter such special election shall be held on such day as shall be fixed and designated by the charter commission which day may be the day for holding any primary or regular November election or a day other than a day for holding any election in the city in the case of proposed amendments to a charter such special election shall be held on the day of any primary or regular November election as shall be fixed and designated by the city council in the ordinance enacted under the provisions of Section 6 of this act Whenever a proposed new charter or amendments to the charter shall propose any change in the manner of selection of elected city officers such proposal shall be submitted by a separate ballot question

Section 11 Effect of Adoption of New Charter or Amendments on Existing Laws Any new charter or amendments to the charter of a city thus proposed which are approved by a majority of the qualified electors voting thereon shall become the organic law of the city at such time as may be fixed therein and all courts shall take judicial notice thereof So far as the same are consistent with the grant of powers and the limitations restrictions and regulations hereinafter prescribed they shall supersede any existing charter and all acts or parts of acts local special or general affecting the organization government and powers of such city to the extent that they are inconsistent or in conflict therewith All existing acts or parts of acts and ordinances affecting the organization government and powers of the city not inconsistent or in conflict with the organic law so adopted shall remain in full force No contract existing at the time of the adoption or amendment of a charter by a city under the provisions of this act shall be affected thereby but such contract shall have the same force and effect and be of the same validity as if such charter had not been adopted or amended

Section 12 Recording and Filing of New Charter or Amendments Printing in Pamphlet Laws The clerk of the city council of the city shall forthwith cause the said new charter or amendments as approved by the qualified electors to be recorded in the ordinance book of the city He shall also file a certified copy thereof in the office of the Secretary of the Commonwealth and the text thereof shall be published as an appendix to the next volume of the pamphlet laws subsequently published

Section 13 Conduct of Elections Returns All elections provided for in this act shall be conducted by the election officers for such city in accordance with the Pennsylvania Election Code The election officers shall count the votes cast and make return thereof to the county board of elections The result of any such election shall be computed by the county board of elections in the same manner as is provided by law for the computation of similar returns at any such election Certificates of the result of any such

election shall be filed by the county board of elections with the city council of the city and with the Secretary of the Commonwealth

Section 14 Notice of Elections At least thirty days notice of each election herein provided for shall be given by proclamation of the mayor of the city A copy of such proclamation shall be posted at each polling place of the city on the day of the election and shall be published in at least two newspapers of general circulation in the city once a week for three consecutive weeks during the period of thirty days prior to the election which publications may be included in the publications required to be made under the provisions of Section 9 of this act

Section 15 Compensation to Members of Commission and Expenses Paid by City Such compensation to the members of the commission for their services as the city council of the city shall by ordinance deem proper the expenses of the charter commission and the cost of publishing distributing and advertising the proposal or proposals of the commission or of the city council of the city or of electors and the proclamations as required by Section 14 of this act and all other expenses of the charter commission and of the city council incurred in connection with any proceedings hereinbefore provided for when not otherwise provided for by law shall be paid from the city treasury and the city council of the city shall provide therefor

Section 16 Limitations on Presenting Petitions For and the Adoption of Charters and Amendments No proposal of a new charter or amendments of similar substance purpose and intent shall be submitted to the qualified electors oftener than once in every five years Provided however That no petition by registered electors of the city either for the appointment of a charter commission or proposing amendments to a charter as provided in sub-section (a) of Section 2 and Section 6 of this act shall be presented to the city council of the city if the city council shall at such time already have provided by ordinance for the appointment of a charter commission of a petition by registered electors for the appointment of a charter commission shall then already have been presented to the city council until the expiration of four years and six months next following the submission to the qualified electors of the city for their approval or disapproval of the charter proposed by the charter commission unless in the case of a petition by registered electors already presented such petition shall have been then rejected or set aside under the provisions of Section 7 or Section 8 of this act and Provided further That no petition by registered electors for the appointment of a charter commission shall be presented to the city council until the expiration of three months next following the effective date of this act

Article II

General Grant of Powers Limitations

Section 17 General Grant of Power and Authority Subject to the limitations hereinafter prescribed the city taking advantage of this act and framing and adopting or amending its charter thereunder shall have and may exercise all powers and authority of local self-government and shall have complete powers of legislation and administration in relation to its municipal functions including the power and authority to prescribe the elective city officers who shall be nominated and elected only in the manner provided by and in accordance with the provisions of the Pennsylvania Election Code and its amendments for the nomination and election of municipal officers The charter of any city adopted or amended in accordance with this act may provide for a form or system of municipal government and for the exercise of any and all powers relating to its municipal functions not inconsistent with the Constitution of the United States or of this Commonwealth to the full extent that the General Assembly may legislate in reference thereto as to cities of the first class and with like effect and the city may enact ordinances rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the city by the charter it adopts or by this or any other law Ordinances rules and regulations adopted under the authority of this act or under the provisions of any charter adopted or amended hereunder shall be enforceable by the imposition of fines forfeitures and penalties not exceeding three hundred dollars ($300) and by imprisonment for a period not exceeding ninety days

Section 18 Limitations No city shall exercise any powers or authority beyond the city limits except such as are conferred by an act of the General Assembly and no city shall engage in any proprietary or private business except as authorized by the General Assembly Notwithstanding the grant of powers contained in this act no city shall exercise powers contrary to or in limitation or enlargement of powers granted by acts of the General Assembly which are

(a) Applicable to a class or classes of cities on the following subjects

(1) Providing for the filing and collection of municipal and tax claims or liens and for the sale of real or personal property in satisfaction thereof

(2) Providing for the exercise of the power of eminent domain and the procedure for the condemnation of property for public purposes

(3) Providing for the assessment of damages and benefits for property taken injured or destroyed

(4) Providing methods for the incurring or increasing of indebtedness

(5) Providing for the annexation or exclusion or detachment of territory

(6) Regulating public schools

(7) Providing for the personal registration of electors

(8) Limiting rates and fixing subjects of taxation

(9) Providing for the assessment of real or personal property and persons for taxation purposes

(b) Applicable in every part of the Commonwealth

(c) Applicable to all the cities of the Commonwealth

Article III

General Provisions

Section 19 Validation of Charter Proceedings No charter or any amendment to an existing charter when adopted by a majority vote of the qualified electors of any city voting at any election shall be declared invalid or be set aside on account of any defect error or omission in the proceedings for the adoption of any such charter or amendment

Section 20 Penalties (a) If any person shall knowingly sign any petition provided for in this act without having the qualifications prescribed by this act or if any person shall set opposite a signature on any such petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite the signature on any such petition a false statement of the signer's place of residence or occupation he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment of not more than two years or both at the discretion of the court

(b) If any person shall knowingly make a false statement in any affidavit required by the provisions of this act to be appended to or to accompany a petition provided for in this act or if any person shall fraudulently sign any name not his own to any such petition or affidavit or if any person shall fraudulently alter any such petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment of not more than two years or both in the discretion of the court

(c) Any person who shall wilfully deface or destroy any petition provided for in this act or any part thereof or who shall present or file or cause to be presented or filed any such petition knowing the same or any part

thereof to be falsely made or who shall suppress any such petition or any part thereof which has been duly presented or filed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

(d) Any wilful false statement made under oath or affirmation or in writing stating that it so made although such oath or affirmation may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard determined or acted upon by the clerk of the city council or any other officers of the city or by any court or Judge thereof in accordance with the terms of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or to undergo an imprisonment of not less than three (3) months nor more than two (2) years or both in the discretion of the court

(e) Any officer of a city or a county or any employe of such officer or of such city or county or any other person on whom a duty is laid by this act who shall wilfully neglect or refuse to perform his duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

(f) Any person who shall violate any of the provisions of this act for which a penalty is not herein specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo an imprisonment of not more than two years or both in the discretion of the court

Section 21 Short Title This act shall be known and may be cited as the "First Class City Home Rule Act"

Section 22 Repealer All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 23 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROSE. Mr. Speaker, I am cognizant of the fact that some Members of this body are a little tired of Philadelphia's problems being continually aired in this chamber. I have personally heard many Members express the hope that we should in Philadelphia take care of our own difficulties without constantly coming to the Legislature for some assistance. I thing if this were possible it would be a fine manner in which to conduct our affairs, because we would like to focus responsibility upon those who are responsible for Philadelphia's ills. However, because of the constitutional and legal limitations placed upon us, this fine situation cannot take place.

Mr. Speaker, we have for consideration before us, two bills, supposedly designed to aid Philadelphia, as the newspapers put it, "streamlining its government." Now, it is certainly time that the antiquated manner in which the government of Philadelphia is carried on is changed. I also have noted in the past, particularly in the last few days, that the Press has referred to these measures as the measures of the Philadelphia Republican organization. May I point out that insofar as the reform of the Philadelphia charter is concerned, and in so far as the city-county consolidation measures are concerned, the new leadership of the Republican organization in Philadelphia was a little belated in their espousal of this cause, because the Democratic party and the decent liberal, independent elements of the Republican party have been crying for these changes for many years. It is only recently that the organization in Philadelphia has seen fit to go part way in the endeavors of the decent elements in Philadelphia to provide this reform.

Let us look at the record. After years of corrupt government in Philadelphia, the city fathers saw fit to appoint a Committee of Fifteen to study the makeup of the Philadelphia government, and to make suggested changes and revisions designed to aid and abet the carrying out of our local governmental functions in a proper manner.

Included in the Committee of Fifteen were some of the very members of the Republican organization which have brought the city to the point where such changes were glaringly evident and apparent to the people. After a considerable period of time and study the Committee of Fifteen made certain recommendations, and these recommendations we will gladly admit, if carried out, would have gone to some extent in making the people of Philadelphia realize those who were conducting its government, were doing so with some view of rendering some aid to the taxpayers. However, immediately after the Committee of Fifteen ceased to function there was brought to the attention of the people of Philadelphia disclosures of corruption and graft, resulting in indictments and arrests for something more than just recommendations. The people of Philadelphia were completely aroused and the wrath of the people became quite evident.

The newspapers of Philadelphia who had been crying for suggested changes took up the cause of the people and clamored for changes. Along came this Session of the Legislature. In the early days of this Session the so-called new leadership of Philadelphia decided that they could douse the fire with a eye dropper.

That was the type of legislation that was introduced into the Senate by the proponents of the measure we are considering today. They attempted to extinguish the conflagration with an eye dropper. The hue and clamor that arose from the civic organizations of Philadelphia was so great that these leaders decided there was something more necessary to quiet them.

Then they came along with Senate Bill 5, and now they are attempting to douse this fire with a bucket of water. That, is all that this Senate Bill 5 attempts to do. The real changes that are necessary to meet the objections of the civic reform organizations of Philadelphia are embodied in this measure.

As I indicated last week when we offered amendments designed to meet the objection necessary to fulfill the demands of the civic reform organizations in Philadelphia,we must, first of all, permit the citizenry when necessary changes are to be made, an amendment to be made to the charter to instigate and take the initiative in forming these changes.

The organization of Philadelphia that now labels this a home rule bill, has indicated that they distrust the people of Philadelphia. They have indicated by the very provisions of this bill that they have the same distaste for the wishes of the people, the same distrust for the hopes of Philadelphians, the same total disregard for the needs of Philadelphians that they have shown in

carrying out the government of Philadelphia for many years.

I submit to you, that if these so called leaders of Philadelphia were sincere in their desire of providing home rule they would certainly take heed of the recommendations of the organizations which exist in Philadelphia, such as the Committee of Seventy, the Metropolitan Committee for Philadelphia, the Bureau of Municipal Research and other organizations designed to make suggestions for necessary reform in Philadelphia.

I have been reading in the Press that these organizations have called upon the Governor of Pennsylvania to grant them an audience so that they can make recommednations for necessary changes. I have also been reading in the press that the Governor has indicated that he will grant such an audience at some time in the future.

We are here today deciding to pass this measure without an opportunity being afforded to them. One of the spokesmen for one of the finest civic reform groups, in a statement issued yesterday stated that the Republican organization in Philadelphia considers the people of Philadelphia children, they do not treat them like adults who are interested in their affairs, but as individuals who should be chastized and treated as naughty boys if they make recommendations that are contrary to the desires and viewpoints of the powers behind the Republican party.

I want to point out that this bill as presently existing is not a home rule bill for the citizens of Philadelphia; it is a home rule bill by city council, yes, the organization that controls city council. It is quite evident that city council has ruled in Philadelphia, or misruled in Philadelphia, and if we could go ahead and pass this bill without making the necessary changes designed to meet the objections of the decent elements in Philadelphia, we would merely aid them in carrying out that rule.

I submit that that is not the type of home rule that the citizens of Philadelphia demand.

Immediately to the left of the Speaker's rostrum we have a fine mural showing William Penn greeting the Indians. Many years ago, when William Penn obtained the land upon which the city of Philadelphia is now located, he indicated to the King that in addition to the right to worship God according to the dictates of conscience, he wished to have a city in which the inhabitants would have an opportunity to rule. He said then, in obtaining this grant of land from the King that justice and truth should prevail and that they would best prevail if the city of Philadelphia had an opportunity to govern themselves. When we ask for true home rule, we ask for an opportunity to be given to the people to govern themselves.

This bill denies to the peopl of Philadelphia the right to make changes that they deem fit when, as and if they see them necessary.

We in the Democratic party who have been joining with the independent elements in the Republican party in Philadelphia in crying for home rule and in crying for city-county consolidation, demand a decent home rule bill. In view of the fact that this bill is a stop-gap measure, supposedly labeled a stop-gap measure, it in truth and in fact is not really a stop-gap measure but will allow the perpetuation of rule by a discredited machine, and we ask the Members of this House to vote "no" on this bill.

Mr. GUARNIERI. Mr. Speaker, I join with my colleague, Mr. Rose, in opposition to Senate Bill 5. It is not my purpose at the present time to belabor you again with the remarks that I made last week in opposition to Senate Bill 5 when it was before the House on second reading. At that time Mr. Rose and I proposed certain amendments to Senate Bill 5 which would provide for an elected or elective charter commission to draw up a new charter for Philadelphia, in place of an appointed charter commission. It also provided that city council should not have a veto power over proposed amendments to the new constitution or new charter, if and when the same should be adopted under the present bill, if passed.

This matter is vital to Philadelphia; it involves the fundamental law and constitutional changes in the charter for Philadelphia's government.

Some time ago, on March 15, 1949, a Philadelphia Evening Bulletin editorial stated: "let everybody help".

The editorial was a criticism of the Republican party in Philadelphia and the Republican party generally, and looking upon city-county consolidation and home rule for Philadelphia as a special preserve and a special right of Republicans for city-county consolidation and home rule in Philadelphia, as special property for Republicans to handle. The city-county consolidation and home rule for Philadelphia is not the special property of the Republican party, it should be handled by both parties and all interested groups generally.

The greatest criticism of Senate Bill 5 and the Republican organization's program generally for Philadelphia is that they unconsciously have dealt with the matter of city-county consolidation and home rule as the special preserve of the Philadelphia organization. Then last week when we were voting on the amendments to Senate Bill 5 various civic organizations in Philadelphia were carrying this matter to his Honor Governor Duff.

J. Harry LaBrum, general counsel of the Chamber of Commerce, in a telegram to the Governor declared the measure introduced by Senator John W. Lord, Jr., "is unsatisfactory in its present form" and urged the Governor to invite the Philadelphia groups to meet him in Harrisburg.

At the same time, Lewis M. Stevens, Chairman of the Executive Committee of the greater Philadelphia movement denounced the bill in a telegram to Members of the Legislature, for its "failure to give the voters a voice in their own government." The effect of the Lord Bill, as now written, would be to put the charter into the hands of the political party which dominates city council, said Mr. LaBrum. "Associated with the Chamber of Commerce and the Greater Philadelphia Movement in protesting are the Bureau of Municipal Research, Citizens Council on City Planning Committee of Seventy and the Philadelphia Committee of the Pennsylvania Economy League."

It is interesting, Mr. Speaker, to note that these civic groups are opposed to Senate Bill 5, and these civic groups are now going to Governor Duff to ask him to veto Senate Bill 5 in its present form. Those that I have enumerated are groups that are dominated by members of the Republican party. It is unconscionable that certain elements of the Republican party known as the Repub-

lican machine in Philadelphia, are trying to saddle on Philadelphia Senate Bill 5.

The more responsible and better thinking liberal Republicans are opposed to Senate Bill 5. This would place home rule legislation and city-county consloidation in Philadelphia into the very hands of that group of Republicans in Philadelphia who have been so opposed to it for years, into the very hands of that organized group which made a shambles of Philadelphia's administration in city government.

My argument is not so much with the Republican party, but with a particular segment of the Republican party known as the Republican machine, in Philadelphia. The Committee of Seventy in its Journal of 1949 takes the Philadelphia government to task. This article states:

> "Politics is the powerhouse that runs your Philadelphia government. It is time we stopped the doubletalk and realized that the tentacles of selfish political perferment have reached into practically every nook and cranny of our local government, and that the administration of public affairs is determined largely through political expediency rather than in the best interest of the citizens. Therefore there is little hope of dealing realistically with the rehabilitation of Philadelphia until all of those who are interested in a greater city are willing to roll up their sleeves and work cooperatively to separate vicious practices from the administration of public affairs.
>
> "No wonder the people are confused."

The article goes on to state:

> "The mayor is busy trying to divert the public's attention to a greater Philadelphia of 1960, 1970, or 1980, but the people know that fire losses are increasing, the crime rate has climbed by leaps and bounds, taxes are going up, and the numbers and gamblers who infest the city have been observed plying their trades in the very shadows of City Hall. The public press keeps the citizens alerted to the horde of political drones on the public payroll who consume tax money that should be expended today on better protective services."
>
> "They are confused because waste and inefficiency are still rampant under the administration of the men who are so busy promising them great things in the future."

All honest citizens can agree that there is a need for reform in Philadelphia. I beseech you as a matter of good equity and conscience, as a matter of fairness, each and every one of you, to vote against Senate Bill 5 in its present form. Let your conscience be your guide, gentlemen.

I will say this to you, if you gentlemen insist upon passing Senate Bill 5 against the weighty arguments we have given to you, you will have to answer for your actions, you will have to answer in the Philadelphia election. I want to point out this shameful and unconscionable situation in Philadelphia which deprives the citizens of Philadelphia of the right to conduct their own affairs. The responsibility rests upon you and you shall answer for it.

Mr. CHARLES C. SMITH. Mr. Speaker, I believe that last Wednesday we cleared up most of the objections of both of the preceding speakers.

I would like to read an article in the Philadelphia Inquirer of Saturday which I think clarifies this entire situation. It is labeled "Partisianship Poison." The article goes on to say:

> "A fairly certain way to get one political party to line up solidly against a bill is for the other party to claim it as its exclusive property. This may not be a rational state of affairs, but it is unquestionably one of the facts of political life.
>
> "The Home Rule bill for Philadelphia now entering its final stages in the Legislature, has from the beginning been part of the program of the Republican city committee." Other groups partisan and non-partisan, have been kept strictly out. "So naturally when the bill came to a test in the House, Philadelphia Democrats lined up against Philadelphia Republicans. The Republicans won, and the bill retains their special label."

Mr. Speaker, that is the gist of part of this little editorial.

The gentleman just said that civic groups in Philadelphia were not supporting this bill, and that the Chamber of Commerce, I believe he named it, was one of the organizations that asked the Governor to veto it when it comes to his desk. I would like to inform the gentleman that the proponents of this bill have worked with the civic groups, but I would also like to tell him that the civic groups never stay put.

For his information, it was the civic groups that asked the Republican party to put in the ripper bill of the Philadelphia registration commission. It was the civic groups that put in the petition allowing twenty-thousand of the voters to ask city council to change amendments. Now, the civic groups have changed the number of signers to the petition to one hundred thousand.

Also for the gentleman's information, in 1947 the Chamber of Commerce and the City Planning Commission definitely went behind a bill here in the House, and we passed that bill in 1947. My name was on it. It was exactly the same bill, word for word, and now today, the Chamber of Commerce is against that bill.

We cannot have people who are one way today and another way tomorrow. We cannot please everybody, as I said last week, but, believe me, we are pleasing the people of Philadelphia. This is home rule and this is what they want. Unfortunately for the other Members of the House, it happens to be a Republican measure. I am sorry that that is a fact but it is so.

Mr. ANDREWS. Mr. Speaker, I am glad that the gentleman from Philadelphia has helped clarify his position and helped clarify a number of things. Now we know; I know and you all know that Senate Bill 5 is just a piece of political pie in the sky.

The gentleman from Philadelphia knows, I know and you all know that you are going to pass this bill, you are going to swallow the gob of political pie in the sky. You are set, you are fixed; the die is cast.

You know and I know that what you do today will be a political issue, it will be a political issue in Philadelphia, it will be a political issue throughout the Commonwealth of Pennsylvania, and I say that if I were tendered a political issue, if I had the matter of selecting, I could not select one that would be more to my liking.

I have noted with interest the fine contempt the gentleman from Philadelphia has for the civic groups of the city in which he takes such great pride.

I can well agree with him that this fine contempt for

the civic groups of Philadelphna before this time has been justified because history shows that the civic groups have not changed, but far too frequently they have done nothing. The machine is justified in saying "Poo poo, Chamber of Commerce, poo poo, Committee of this, poo poo Committee of something else, we know how to get the votes, we control the machinery, and you, gentlemen of the civic groups, just amuse yourselves, play with reform and we will attend to the votes when election day rolls around."

Mr. Speaker, I am very pleased to note that he claims copyright and exclusive privileges for this bill. I would hate to think that it bore anything even faintly resembling a Democratic label. If Daniel Webster, Demosthenes, Cicero, William Jennings Bryan, all of the orators that have come down through the channels of time were to take the floor against this bill, you couldn't sway one vote on that side of the House. You are set, you are fixed; you have had to swallow it.How some of them have gagged at this dose!

Now, we do accept this issue. We accept the issue of decency in government, of fair play at elections, and the free will of the people of Pennsylvania. We accept that issue in the most remote district of the Commonwealth. Because of the conditions that you have in Philadelphia, more than once the will of the people of this state, as expressed by the electors of this municipality, has been thwarted. They say we cannot clean up Pennsylvania, until we clean up Philadelphia, and we cannot clean up Philadelphia until the people have a fighting issue that will bring them to the front. I say to you that we accept Senate Bill 5 as that issue.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, did I understand the gentleman from Philadelphia to say that certain civic reform groups in Philadelphia are behind Senate Bill 5?

Mr. CHARLES C. SMITH. No, Mr. Speaker, I think the gentleman misunderstood me. I said that the civic and reform groups originated some of the ideas, which they changed in Senate Bill 5.

Mr. ROSE. Mr. Speaker, does the gentleman know of any recognized civic organization in Philadelphia that is behind this measure?

Mr. CHARLES C. SMITH. Mr. Speaker, I know many of them who were behind it when they first started out. I mean individuals in the groups changed their minds. When one man speaks, he doesn't speak for the group, but I would like to know what some of the votes are in the group.

Mr. ROSE. Mr. Speaker, will the gentleman tell me whether the Second Ward Republican Executive Combittee is behind this bill?

Mr. CHARLES C. SMITH. Mr. Speaker, I wouldn't be able to answer that. I come from the twenty-second ward. Maybe the gentleman from the second ward could answer that question better than I could. I will gladly yield to him.

Mr. ROSE. Will the gentleman from Philadelphia, Mr. Smith, yield to the gentleman from Philadelphia, Mr. Costa?

Mr. CHARLES C. SMITH. I will be only too glad to do so.

The SPEAKER. The gentleman from Philadelphia, Mr. Smith, yields to the gentleman from Philadelphia, Mr. Costa.

Will the gentleman from Philadelphia, Mr. Costa, permit himself to be interrogated?

Mr. COSTA. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, I understand the gentleman has been holding forth that the Second Ward Republican Executive Committee was behind Senate Bill 5. Will the gentleman tell me whether that organization is behind Senate Bill 5 as presently drawn?

Mr. COSTA. Mr. Speaker, we have all gone on record as in favor of Senate Bill 5.

Mr. ROSE. Mr. Speaker, will the gentleman tell me whether he considers the Second Ward Republican Executive Committee a reform civic group in Philadelphia.

Mr. COSTA. Mr. Speaker, I think after this bill goes through it will be.

Mr. ROSE. It thank the gentleman.

Mr. Speaker, I hope I live to see the day when in the second ward in Philadelphia we will have members of the executive committee there who are interested in reform. I doubt very much whether the boys can get away from their Armstrong sheets long enough to go ahead and recognize the reform groups in Philadelphia.

I just want to point out to the Members of the House, that the gentleman from Philadelphia indicated that the organization cannot help people who are one way today and another way tomorrow. I do wish to point out that in the transmittal of this bill from the day of its first introduction into the Senate until tonight, and in the passage of legislation concerning City-County consolidation, we found that the proponents of this measure were one way today and the following day were on a different footing. They have amended this measure so many times that it indicates to me that they have been in a constant state of confusion, or they are trying to fool the people of Philadelphia in attempting to press this measure to passage at this time. But I want to point out to those of you who will be back here in the next session of the Legislature to remember the prediction voiced by the gentleman from Cambria, and the prediction which I myself have voiced, that the people of Philadelphia are not going to take the passage of this bill lying down. We cannot hold them in utter ridicule and contempt forever. They are going to rise in their wrath and are going to show the people of Philadelphia that they are interested in decency and are interested in organizations that will pay some respect to their wishes.

I know very well that what we say here is going to be totally ignored by the gentlemen of the majority. However we of the Democratic party join with the independent Republicans and the decent elements of all parties in Philadelphia in saying that we want to give recognition to the voice of the people, and consequently we have to vote against this measure because it does not do just that.

Mr. GUARNIERI. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Speaker, speaking a few moments ago the gentleman from Philadelphia, Mr. Smith, quoted from an editorial entitled "Partisanship Poison," is that correct?

Mr. CHARLES C. SMITH. Mr. Speaker, I quoted part of that editorial, that is correct.

Mr. GUARNIERI. Mr. Speaker, the gentleman from Philadelphia, Mr. Smith, stated that that editorial appeared in the Philadelphia Inquirer, is that correct?

Mr. CHARLES C. SMITH. Mr. Speaker, I believe it was the Philadelphia Inquirer; it may have been the Philadelphia Bulletin.

Mr. GUARNIERI. Is it a fact that the gentleman quoted a part of that editorial?

Mr. CHARLES C. SMITH. That is what I said, Mr. Speaker.

Mr. GUARNIERI. I thank the gentleman. Did that gentleman cite that editorial in support of his contention on the bill?

Mr. CHARLES C. SMITH. Mr. Speaker, I cited the editorial in support of the Republican party's position. We take the position contained in the editorial in certain paragraphs that it is a Republican measure; that is one of the reasons it is being supported by us and not supported by the minority.

Mr. GUARNIERI. I thank the gentleman.

I wish to read to the House an editorial entitled "Partisanship Poison." The article goes on to say:

> "A fairly certain way to get one poltical party to line up against a bill is for the other party to claim it as its exclusive property. This may not be a rational state of affairs, but it is unquestionably one of the facts of political life.
>
> "The home rule bill of Philadelphia now enering into final stages in the Legislature, has from the beginning been part of the program of the Republican city committee."

I want to emphasize the next line which was not mentioned by my esteemed colleague from Philadelphia. It reads as follows:

> "Other groups, partisan and non-partisan have been kept strictly out. So naturally when the bill came to a test in the House, Philadelphia Democrats lined up against Philadelphia Republicans. The Republicans won, and the bill retains their special label."

Mr. Speaker, I want to emphasize that point again, that last line, "Other groups, partisan and non-partisan have been kept strictly out." So naturally when the bill came to a test in the House, Philadelphia Democrats lined up against the Philadelphia Republicans. The Republicans won and the bill retains their special label.

The editorial goes on and reflects thoughts and ideas that I have given heretofore on the floor. I believe that my friends both Republican and Democratic should listen to this:

> "Drawing a city charter, like the drafting of a state constitution, is process in which fundamentals must be dealt with. Much harm can come from distortion of issues by partisanship and from the fact that important groups have been deined a voice either in drafting the instrument or fixing the rules under which it is to be drafted.
>
> "Home rule charter prospects would be brighter today if the poison of partisanship had not been injected at the outset. Can Philadelphia hope that the contest in the Legislature is the last example of partisanship that will be encountered in preparation of a new charter?"

I submit, Mr. Speaker, that the gentleman from Philadelphia, my esteemed colleague, Mr. Smith has made a total abysmal mistake by citing the editorial which, Mr. Speaker, is totally against his contention.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. Scanlon, Rose and Penglase.

The roll was verified and was as follows:

YEAS—110

Barkdoll,	Fleming,	Kratz,	Sax,
Baumunk,	Fox,	Kurtz,	Scott,
Blair,	Frost,	Leisey,	Shoemaker,
Bloom,	Gallagher,	Loftus,	Smith, C. C.,
Bomberger,	George,	Madigan,	Sollenberger,
Boorse,	Gibson,	McCullough,	Spencer,
Bower	Goodling,	McKinney,	Stimmel,
Breisch,	Graybill,	McMillen,	Stuart,
Brice,	Green,	Mikula,	Tahl,
Brown, Wm. E.,	Greenwood,	Miller,	Thompson,
Brunner,	Greer,	Milliken,	Tompkins,
Cadwalader,	Guthrie,	Mintess,	Toomey,
Clapper,	Hall,	Moore, C. E.,	Varner,
Clendening,	Harney,	Moore, H. A.,	Wachhaus,
Cooper,	Haudenshield,	Murray,	Wagner,
Costa,	Helm,	Najaka,	Waterhouse,
Dalrymple,	Herman,	Neff,	Watkins,
DeLong,	Hewitt,	O'Dare,	Weidner,
Dennison,	Hocker,	O'Donnell,	Wescott,
Depuy,	Hoffman,	Orban,	Wood,
Driscoll,	Jennings,	Price, H. W., Jr.,	Worley,
Elder,	Johnson,	Propert,	Yaffe,
Erb,	Jump,	Reagan,	Yeakel,
Ewing,	Keller,	Reilly, J. M.,	Young,
Felton,	Kemp,	Riley, R. L.,	Ziegler,
Ferster,	Kent,	Robbins,	Sorg,
Firmstone,	Kline,	Robertson,	Speaker
Flack,	Kohl,	Royer,	

NAYS—87

Amarando,	Hamilton,	Moran,	Sarraf,
Andrews,	Harris,	Munley,	Scanlon,
Bane,	Heatherington,	Nagel,	Schmidt,
Beaver,	Hersch,	Needham,	Schuster,
Boles,	Hoggard,	Nixon,	Seyler,
Brandon,	Hunter,	Olsen,	Smith, W. B.,
Breth,	Jenkins,	Penglase,	Snider,
Bucchin,	Jim,	Pentrack,	Stank,
Cochran,	Jones, G. E.,	Peta,	Sternberg,
Cole,	Jones, J. M.,	Petrosky,	Swope,
Coleman,	Kamyk,	Pettigrew,	Taylor,
Conway,	Kirley,	Polen,	Varallo,
Dougherty,	Kolankiewicz,	Posta,	Verona,
Duffy,	Kondrath,	Powers,	Wargo,
Evans,	Lederer,	Price, R. A.,	Weiss,
Filo,	Leonard,	Readinger,	Welsh,
Floyd,	Limper,	Reese,	Westrick,
Gaffney	Lovett,	Reidenbach,	Wheeler,
Glembocki,	McGee,	Reynolds,	Williams,
Good,	McNally,	Rose,	Yester,
Guarnieri,	Mills,	Rosen,	Yetzer,
Hagerty,	Monroe,	Rovansek,	

NOT VOTING—11

Altshuler,	Dye,	Lee,	Musto,
Bednarek,	Frank,	McCormack,	Pfaff,
Brown, H. S.,	Krise,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 191, as follows:

An Act to further amend Section three of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for and payment of such items

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" as amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 509) is hereby further amended to read as follows

Section 3 [Item on Same Bank A credit given by a bank for an item drawn on or payable at such bank shall be provisional subject to revocation at or before the end of the business day following the day on which the item is deposited in the event the item is found not payable for any reason Whenever a credit is given for an item deposited after banking hours such right of revocation may be exercised during the next business day after the following business day]

Payment and Dishonor of Demand Items Revocation of Credit (a) In any case in which a bank receives other than for immediate payment over the counter a demand item payable by at or through such bank and gives credit therefor before midnight of the day of receipt the bank may have until midnight of its next business day after receipt within which to dishonor or refuse payment of such item Any credit so given together with all related entries on the books of the receiving bank may be revoked by returning the item or if the item is held for protest or at the time is lost or is not in the possession of the bank by giving written notice of dishonor nonpayment or revocation Provided That such item or notice is dispatched in the mails or by other expeditious means not later than midnight of the bank's next business day after the item was received For the purpose of determining when notice of dishonor must be given or protest made under the law relative to negotiable instruments an item duly presented credit for which is revoked as authorized by this act shall be deemed dishonored on the day the item or notice is dispatched A bank revoking credit pursuant to the authority of this act is entitled to refund of or credit for the amount of the item

(b) For the purposes of this section (1) An item received by a bank on a day other than its business day or received on a business day after its regular business hours or during afternoon or evening periods when it has reopened or remained open for limited functions shall be deemed to have been received at the opening of its next business day and (2) The term "credit" includes payment remittance advance of credit or authorization to charge and in cases where the item is received for deposit as well as for payment also includes the making of appropriate entries to the receiving bank's general ledger without regard to whether the item is posted to individual customers' ledgers

Section 2 This act shall be come effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

And the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Ooleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper.	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 192, as follows:

An Act to further amend subsection A of Section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporation with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such cor-

porations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing investments in second liens in cases and under conditions herein specified

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1104) is hereby further amended to read as follows

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens [or] on unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of a boundary thereof and (2) do not exceed two-thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized over a period not exceeding twenty years after the making of such loan or investment in monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty-year period Provided however That a bank or a bank and trust company while having the entire investment in such a first lien on real property may subject to like conditions in respect to amortization invest in a second lien on the same real property which may be either a bond and mortgage or a judgment if the total amount invested in both liens does not at any time exceed two-thirds of the actual value of such real property Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond mortgage or judgment in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expense of the borrower or mortgagor from year to year or for a longer or shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage or judgment and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property [so mortgaged] subject to the mortgage or judgment All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and perserved among the records of the bank or bank and trust company The provisions of this subsection shall not apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth or within fifty miles of a boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act provided that such loans are guaranteed in an amount equal to at least twenty per centum thereof nor shall the provisions of this section apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements nor to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,

Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 212, entitled:

An Act to further amend section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain children placed in foster homes by the court eligible for assistance

On the question,

Will the House agree to the bill on third reading?

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 9), page 3, line 11, by inserting after the word "home" the following: "of their parents and placed in foster homes."

Amend Sec. 1 (Sec. 9), page 3, line 13, by striking out the words "of their parents and placed in foster homes."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 230, as follows:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" by excepting loans made under the National Housing Act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" is hereby amended to read as follows

Section 1 Be it enacted &c That the lawful rate of interest for the loan or use of money in all cases where no express contract shall have been made for a less rate shall be six per cent per annum [and the] Provided however That any loan insured by the Federal Housing Administration pursuant to the provisions of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements may bear such rate of interest or be discounted at such rate as is permitted under the National Housing Act and the regulations promulgated from time to time by the Federal Housing Administration The first and second sections of the act passed second March one thousand seven hundred and twenty-three entitled "An Act to reduce the interest of money from eight to six per cent per annum" be and the same is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,

Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 231, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by modifying limitations upon officers holding more than one office permitting additional borrowing permitting additional investment in property used in the transaction of business broadening mortgage lending limitations and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and B of section four hundred ten of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" are hereby amended to read as follows

Section 410 Officers of Associations Removal Compensation A Every association shall have a president a vice-president a secretary and a treasurer and may have such additional officers as shall be provided for in the by-laws Any two [or more] offices may be held by the same person except that the [same person] president shall not [at the same time be holder of more than one of the following offices President vice-president secretary treasurer and solicitor in addition when] hold any other office When an association has a conveyancer the president vice-president secretary or treasurer of such association shall not at the same time be the conveyancer of the association

B The officers of an association shall be selected at least annually by the board of directors unless the by-laws provide a different method The president [vice-president and secretary] of an association shall be [required to be members] a member of the board of directors of the association

Section 2 Subsection A of section eight hundred two and subsection A of section eight hundred five of said act as amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) are hereby further amended to read as follows

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An association may by resolution of its board of directors borrow money at a rate of interest not exceeding six per centum per annum to a total amount not exceeding fifty per centum of the participation value of shares which have not been pledged to the association as security for mortgage loans or which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given Provided That the amount of all existing share loans shall be deducted in determining the participation value of shares And provided further That at any time an association has shares listed for payment as withdrawn shares which it may be unable to pay in full within thirty days without borrowing an amount in excess of the limitation aforesaid such association may borrow such larger amount as may be necessary to meet the association's withdrawal demands subject to the prior written approval of the department

Section 805 Limitation on Building Owned or Leased Furniture and Fixtures Therein A [The cost of the] An association shall not invest in real property including the building or buildings thereon [which an association owns and occupies] for occupancy in connection with the transaction of its business or partly so [occupies] occupied and partly [leases] leased to others together with the cost of furniture and fixtures therein which belong to the association [shall not at any time exceed in the aggregate] an amount in excess of five per per centum of the participation value of its outstanding shares [However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business] without the prior written approval of the department

Section 3 Subsection B of section eight hundred eleven of said act is hereby amended to read as follows

Section 811 Prohibition Upon Accepting Deposits or Discounting Commercial Paper

* * * * *

B An association shall not purchase or discount any note bill of exchange draft or other commercial paper except that the prohibitions of this subsection shall not be construed to apply to any loan or investment insured under title 1 of the national housing act which is specifically authorized by this act

Section 4 Subsection B of section nine hundred three of said act as last amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 76) is hereby further amended to read as follows

Section 903 Security for Mortgage Loans

* * * * *

B An association shall not grant any morgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property the improvement being a dwelling for not more than four families which is used or to be used in whole or in part for

residential purposes or uppon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not together with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the withdrawal value upon the day of the granting of such loan of shares to be assigned or pleged to the association by the borrower as security for such loan Provided however That shares of the association owned by any shareholder may be assigned or pleged as additional collateral security for the mortgage loan and in such event the mortgage loan granted upon such property may be increased by the withdrawal value of the additional pledged shares to an amount not to exceed a maximum total mortgage loan of ninety per centum of the fair market value of such real property and the association may release this additional collateral whenever the mortgage loan meets all of the requirements of this act and could be legally made at the time of release without the requirement of addtional collateral An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

[Notwithstanding any other provisions of this act an association may make any mortgage loan on a dwelling for not more than four families situated in the Commonwealth if the full amount of such mortgage is insured or guaranteed by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee

Notwithstanding any other provisions of the law an association may grant any mortgage loan on a dwelling for not more than four families which is used in whole or in part for residential purposes or upon real property upon which such a building is in the process construction situated anywhere within the Commonwealth if such loan is guaranteed or insured or there is a commitment for guaranty or insurance thereof under the provisions of the Servicemen's Readjustment Act of one thousand nine hundred and forty-four its amendents and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act]

Without regard to the limitations set forth in this subsection an association may grant any mortgage loan which is insured or guaranteed in whole or in part by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee Porvided That the real estate security therefor shall be a building used or to be used in whole or in part for residential purposes situated within the Commonwealth or within fifty miles of a boundry thereof

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

Section 5 Article nine of said act is hereby amended by adding immediately following section nine hundred thirteen a new section to read as follows

Section 914 Title I FHA Loans Notwithstanding any other provisions of this act an association may grant loans to any of its mortgage borrowers for repair alteration or improvement of the mortgaged real estate on the security of a note which is insured or will be insured under Title I of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements Such loans may be granted in any amount and on any terms that may be acceptable to the Federal Housing Administration

And said bill having been read at length the third time, considered an agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frank,	Limper,	Robertson,
Amarando,	Frost,	Loftus,	Rose,
Andrews,	Gaffney,	Lovett,	Rosen,
Bane,	Gallagher,	Madigan,	Rovansek,
Barkdoll,	George,	McCormack,	Royer,
Baumunk,	Gibson,	McCullough,	Sarraf,
Beaver,	Glembocki,	McGee,	Sax,
Bednarek,	Good,	McKinney,	Scanlon,
Blair,	Goodling,	McMillen,	Schmidt,
Bloom,	Graybill,	McNally,	Schuster,
Boies,	Green,	Mihm,	Scott,
Bomberger,	Greenwood	Mikula,	Seyler,
Boorse,	Greer,	Miller,	Shoemaker,
Bower,	Guarnieri,	Milliken,	Smith, C. C.,
Brandon,	Guthrie,	Mills,	Smith, W. B.,
Breisch,	Hagerty,	Mintess,	Snider,
Breth,	Hall,	Monroe,	Sollenberger,
Brice,	Hamilton,	Moore, C. E.,	Spencer,
Brown, H. S.,	Harney,	Moore, H. A.,	Stank,
Brown, W. E.,	Harris,	Moran,	Sternberg,
Brunner,	Haudenshield,	Munley,	Stimmel,
Bucchin,	Heatherington,	Murray,	Stuart,
Cadwalader,	Helm,	Musto,	Swope,
Clapper,	Herman,	Nagel,	Tahl,
Clendening,	Hersch,	Najaka,	Taylor,
Cochran,	Hewitt,	Needham,	Thompson,
Cole,	Hocker,	Neff,	Tompkins,
Coleman,	Hoffman,	Nixon,	Toomey,
Conway,	Hoggard,	O'Dare,	Varallo,
Cooper,	Hunter,	O'Donnell,	Varner,
Costa,	Jenkins,	Olsen,	Verona,
Dalrymple,	Jennings,	Orban,	Wachhaus,
DeLong,	Jim,	Penglase,	Wagner,
Dennison,	Johnson,	Pentrack,	Wargo,
Depuy,	Jones, G. E.,	Peta,	Waterhouse,
Dougherty,	Jones, J. M.,	Petrosky,	Watkins
Driscoll,	Jump,	Pettigrew,	Weidner,
Duffy,	Kamyk,	Pfaff,	Weiss,
Dye,	Keller,	Polen,	Welsh,
Elder,	Kemp,	Posta,	Wescott,
Erb,	Kent,	Powers,	Westrick,
Evans,	Kirley,	Price, H. W., Jr.,	Wheeler,
Ewing,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox.	Leisey,	Riley, R. L.,	Ziegler,
	Leonard,	Robbins,	Sorg, Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

INTERROGATION

Mr. ANDREWS. I desire to interrogate the gentleman from Montgomery, Mr Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, can the Majority Leader give us any information as to how long it is his intention to defer action on Senate Bill 245.

Mr. BRUNNER. Mr. Speaker, I was engaged on the telephone at the time this bill came up. Had I been here

I should not have asked the Speaker to pass the bill over.

The SPEAKER. The Chair said, if there are no obligations, Senate Bill No. 245, Printer's No. 338, would be passed over, and the Chair recognized Mr. Andrews for the purpose of interrogating the Majority Leader.

Mr. BRUNNER. Mr. Speaker, the fact that it was passed over was an oversight on my part, because I had informed several Members over here that at the time this bill appeared on the calendar it would be called up.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 245 as follows:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain members on retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 407) and the act approved the third day of May one thousand nine hundred forty-five (P. L. 409) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provision of section eleven of this act

(d) In addition thereto in the event of the retirement of a contributor prior to September first one thousand nine hundred fifty if a member of the one-hundred-sixtieth (1/160) class or in the event of such retirement on and after July first one thousand nine hundred fifty if a member of the one one-hundred-fortieth (1/140) class a further State annuity which shall be equivalent to the amount if any by which the superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars ($1200) where the contributor has forty years or more of credited service in this Commonwealth or if less than forty years of such service then such proportional amount of such one thousand two hundred dollars ($1200) as the years of such credited service bear to forty years

4 Any person sixty-two years of age or older who was a classroom teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than two whole school years or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than twenty-five dollars ($25) per month if such former teacher shall agree in writing and hold himself or herself ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

Any employe on retirement for superannuation who returns to active school service during the continuation of World War II shall not upon return to retirement for superannuation receive any smaller retirement allowance than that received prior to such return to active school service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered an agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Zorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 246 as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service or on reduced allowances after twenty-five years of such service increasing the scale of disability benefits and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of subsection 3.1 subsection 5 the second paragraph of subsection 6 subsections 6.1 and 8 of section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" subsection 3.1 of which was added by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 284) subsections 5 and 6 of which were amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) subsection 6.1 of which was added by the act approved the second day of May one thousand nine hundred forty-five (P. L. 374) and subsection 8 of which was amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) are hereby amended or further amended to read as follows

Funds

Section 8

* * * * *

3.1

* * * * *

The amount so certified by the retirement board shall be computed to bear a ratio to the salaries earnable by new entrants during the period for which the amount is certified Provided That on and after the first day of July one thousand nine hundred fifty such amount shall bear a ratio to the total salaries earnable by all contributors during the period for which the amount is certified The ratio shall be computed as a level percentage of the prospective compensation of new entrants or of all contributors as the case may be and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest Such ratio shall be computed on the basis of each actuarial valuation and shall be determined by deducting from the present value of the liabilities of the contingent reserve account the sum of the assets credited to that account on the valuation date and dividing remainder by the present value of the future salaries of new entrants who are then members or of all contributors as the case may be To facilitate the collection of such amounts the retirement board may use the payroll reported for the last valuation as the basis for contributions for a twelve month period

* * * * *

Beginning with the month of July [nineteen hundred nineteen] one thousand nine hundred nineteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirment board and approved by the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semi-annually into the fund created by this act through the Department of Revenue an amount equal to two and eight-tenth (2.8) per centum of the total compensation paid to all contributors for service during

the preceding school year and in every case an amount at least three per centum greater than the second preceding semi-annual payment which amount shall be credited by the retirement board to a ledger account to be known as State Annuity Reserve Account Number Two Beginning with the month of July [nineteen hundred twenty-five] one thousand nine hundred twenty-five the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two an amount equal to two (2) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July [nineteen hundred thirty-three] one thousand nine hundred thirty-three the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two an amount equal to one and six-tenths (1.6) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July one thousand nine hundred fifty-one the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two such amount as shall be certified by the retirement board as necessary to provide the disability or superannuation State annuities allowable by the Commonwealth under the provisions of this act on account of present employes The amount so certified by the retirement board shall be computed to bear a ratio to the total salaries earnable by all contributors during the period for which the amount is certified The ratio shall be computed as a level percentage of the prospective compensation of such contributors and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest Such ratio shall be computed on the basis of each acturial valuation and shall be determined by deducting from the present value of the liabilities of the State Annuity Reserve Account Number Two the sum of the assets credited to that account on the valuation date and dividing the remainder by the present value of the future salaries of such contributors To facilitate the collection of such amount the retirement board may use the payroll reported for the last valuation as the basis for contributions for a twelve month period Provided That in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such salary shall be used in computing such total compensation And provided That in every case the amount shall be sufficient when combined with that in the fund to the credit of said account to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his or her State annuity shall be charged to the State Annuity Reserve Account Number Two and paid from the fund created by this act

6

* * * * *

From the salary of each employe who is a contributor there shall be deducted and paid into the fund created by this act through the Department of Revenue such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement of age of sixty-two [and] an employes' annuity equal to one one-hundred sixtieth (1/160) of his or her salary for each year of service after the thirtieth day of June [nineteen hundred nineteen] one thousand nine hundred nineteen or to procure for him or her on superannuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an employe's annuity equal to one one-hundred fortieth (1/140) of his or her final salary for each year of service after the thirtieth day of June one thousand nine hundred nineteen in the case of each contributor entering or re-entering the retirement system on and after the first day of July one thousand nine hundred fifty and also in the case of each contributor orginally carrying membership in the one one-hundred sixtieth (1/160) class who prior to the first day of July one thousand nine hundred fifty has elected and filed with the retirement board such election to transfer to the one one-hundred fortieth(1/140) class and who contributes after the first day of July one thousand nine hundred fifty the per centum of his or her salary computed to be sufficient for new entrants of the one one-hundred fortieth(1/140) class as of age attained at nearest birthday of such transferred contributor at the date of transfer Provided That in the case of employes who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such percentage shall be computed on the basis of said salary And provided That in any case if the deduction so computed shall exceed five per centum of his or her earnable salary and the employe shall so elect there shall be deducted five per centum of his or her earnable salary Provided however That these privileges are not available to contributors in the one one-hundred fortieth (1/140) class And further provided That a beneficiary in the one one-hundred sixtieth (1/160) class restored to school services shall not be permitted to transfer to the one one-hundred fortieth (1/140) class nor shall a beneficary restored to school service be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

6.1 In addition to the regular contribution required under clause six of this section any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employe in any public school or institution of such other classes as are at present included in the retirement system and who submits proof satisfactory to the retirement board of all or part of such service may make a lump sum payment computed to be sufficient with regular interest to procure for him or her on super-annuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an additional employe's annuity equal to [one-eightieth (1/80)] one-seventieth (1/70) of his or her earnable salary during the first year of service in this Commonwealth for each of the years of such aforesaid proved service for which he or she shall elect to contribute Such additional contributions shall become a part of his or her accumulated deductions and shall be so treated except in case of disability retirement superannuation retirement or the receipt of an annuity upon resignation or dismissal when they shall be used to produce an additional annuity on the basis of such annuity tables as the retirement board shall approve Provided however That the state annuity part of the retirement allowance of any such contributor shall not be increased or affected by reason of said out-of-state service or of such contribution

* * * * *

8 No contributor shall be required to continue to contribute to the School Employes' Retirement Fund after he or she shall have become eligible for superannuation retirement all contributions made thereafter to said fund shall be voluntary Provided however That this clause shall not apply to contributors in the one one-hundred fortieth (1/140) class

Section 2 Section twelve of said act as last amended by the acts approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 521) and the twenty-second day of May one thousand nine hundred forty-five (P. L. 827) is hereby amended by adding a new subsection 1.1 immediately after subsection 1 to read as follows

Withdrawal

Section 12

* * * * *

1.1 Should a contributor in the one one-hundred fortieth (1/140) class so separate from the school service after having completed twenty-five years of credited service in this Commonwealth before reaching age sixty-two or completing thirty-five years of credited service in this Commonwealth whichever is the earlier he or she shall be paid or receive a withdrawal allowance as he or she may elect as follows

(a) the full amount of the accumulated deduction standing to his or her individual credit in the employes' annuity savings account as of the date of such separation from school service or in lieu thereof should he or she so elect

(b) an annuity beginning immediately which shall be of equivalent actuarial value of said accumulated deductions and in addition a State annuity beginning immediately having a value equal to the present value of a State annuity beginning at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier calculated in accordance with the provisions of said act such State annuity shall be based upon the final salary of the withdrawing member and the years of credited service in this Commonwealth to the date of withdrawal from service and shall include any State annuity related to prior service or supplemental State annuity provided for in section fourteen The same options provided for in section fifteen of said act with respect to annuities payable on superannuation retirement shall be available in connection with any annuity entered upon under the provisions of this subsection

Section 3 Subsections 1 and 5 of section thirteen of said act are hereby amended subsection 5 by adding thereto a new paragraph (c) to read as follows

Disability Retirement

Section 13 Retirement upon disability shall be made and discontinued as follows

1 Upon the application of a contributor who is an employe or of one acting in his or her behalf or upon the application of the employer of a contributor the retirement board shall retire said contributor on a disability allowance if he or she is under the age of sixty-two years or if a member of the one one-hundred fortieth (1/140) class and has not completed thirty-five years of credited service in this Commonwealth and is under the age of sixty-two years and on a superannuation allowance if he or she has attained or passed such age or completed such period of service provided the physician or physicians designated by said board after a medical examination of said contributor made at the place of residence of said contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and provided further that said contributor has had ten or more school years of school service

* * * * *

Allowance on Disability Retirement

5 On retirement for disability a contributor who is an employe shall receive a retirement allowance which shall consist of

* * * * *

(c) If however the contributor is in the one one-hundred fortieth (1/140) class a State annuity in lieu of the State annuity provided in paragraph (b) which together with the employe's annuity shall be sufficient to produce a retirement allowance of one-ninetieth (1/90) of his or her final salary multiplied by the number of his or her years of service but in any case not less than thirty-three and one-third per cent of said final salary except that in case thirty-three and one-third per cent shall exceed eight-ninths of the rate of retirement allowances to which the employe might have been entitled had retirement been deferred until age sixty-two or the end of thirty-five years of credited service in this Commonwealth whichever is the earlier then the State annuity granted shall be such as to make the rate of the total retirement allowances equal to eight-ninths of the rate of allowances to which the employe might have been entitled had retirement been deferred until age sixty-two or the end of thirty-five years of credited service in this Commonwealth whichever is the earlier

Section 4 subsections 1 and 3 of section fourteen of said act as last amended by the acts approved the third day of May one thousand nine hundred forty-five (P. L. 407) and (P. L. 409) are hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older or who is a member of the one one-hundred fortieth (1/140) class and has completed thirty-five years of credited service of the Commonwealth may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

* * * * *

Allowance on Superannuation Retirement

(3) On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

[(a) An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act]

I An employe's annuity which shall be acturial equivalent of his or her accumulated deductions and

II A State annuity the amount of which shall be determined as follows

(A) If the contributor is a member of the one one-hundred sixtieth (1/160) class

(a) A State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of service and

(b) In addition thereto if a present employe a further State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act

(B) If the contributor is a member of the one one-hundred fortieth (1/140) class

(a) A State annuity of one one-hundred fortieth (1/140) of his or her final salary for each year of service and

(b) In addition thereto if a present employe a further State annuity of one one-hundred fortieth (1/140) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act and

(c) In addition thereto an additional State annuity which shall be equivalent to the amount if any by which the employe's annuity is less than the State annuity for service rendered after the thirtieth day of June one thousand nine hundred nineteen

Section 5 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act it is hereby declared to be the legislative intent that this act would have been adopted has such unconstitutional provisions not been included herein

And said bill having been read at length the third time, considered an agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 340, as follows:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" as amended by the act approved the thirtieth day of April one thousand nine hundred thirty-seven (P. L. 554) is hereby further amended to read as follows

Section 2 Definitions A person who engages in the "Practice of Dentisty" within the meaning of this act who diagnoses treats operates on or prescribes for any disease pain or injury or regulates any deformity or physical condition of the human teeth jaws or overlaying tissues or who fits constructs and inserts any artificial appliance plate or denture for the human teeth or jaws or who holds himself or herself out as being able or legally authorized to do so The term "Practice of Dentistry" does not include

(a) The practice of any of the healing arts by duly licensed practitioners

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies or the making of applications for such purposes

(c) The taking of X-ray pictures of the human teeth jaws or adjacent structures

(d) The calling into this Commonwealth for consultation of a duly licensed practitioner of dentistry of any other state or country with respect to any case under treatment or demonstrating before any duly authorized dental society in this Commonwealth

(e) The practice of dentistry by bona fide students of dentistry in clinical departments and laboratories of approved dental colleges

A "Dental Hygienist" is one who is legally licensed as such by the said dental council and examining board to remove tartar deposits accretions and stains from the exposed surfaces of the teeth and directly beneath the free margin of the gums and to make application of sodium floride as defined by the board to the exposed surfaces of the teeth for the prevention of dental caries in the office of a dentist or any public or private institutions such as school hospitals orphan asylums and sanitoriums or State health cars under the general supervision of a licensed and registered dentist and not otherwise and who does not perform any other operation or work on the teeth jaws gums or mouth whatever

The word "board" as used in this act means the State Dental Council and Examining Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,

Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 432, as follows:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 442) is hereby further amended to read as follows

Section 3 Every insurer transacting such marine insurance in this Commonwealth shall file on or before the first day of June in each year with the Department of Revenue and in the form prescribed by it a report of all the items pertaining to its insurance business as enumerated and prescribed in the preceding section of this act [To determine the basis of the tax on underwriting profits every] Every insurer which has been writing such insurance in this Commonwealth for three years shall furnish to the Department of Revenue a statement of all of the aforementioned items in the form prescribed by it for each of the preceding three calendar years An insurer which has not been writing such marine insurance for three years shall furnish to the Department of Revenue a statement of all the aforementioned items for each of the calendar years during which it has written marine insurance Every insurer at the time of making the reports required by this section shall compute and pay into the State Treasury through the Department of Revenue the tax if any then due the Commonwealth

If [the Department of Revenue finds the report of the insurer reporting correct it shall if] the insurer has transacted such marine insurance for three years it shall (1) [to] ascertain the average annual underwriting profit as defined by this section derived [by the insurer] from its aforesaid marine insurance business written within the United States during the last preceding three calendar years (2) ascertain the proportion which the average annual premiums of the insurer from such marine insurance written by it in this Commonwealth during the last preceding three calendar years bears to the average total marine premiums of the insurer during the same three years (3) compute an amount of five per centum on this proportion of the aforementioned average annual underwriting profit [of the insurer] from such marine insurance and (4) charge the amount of tax thus computed [to such insurer] as a tax upon the marine insurance written by it in this Commonwealth during the current calendar year The [Department of Revenue] insurer shall each year compute the tax according to the method described in this section upon [the] its average annual underwriting profit [of such insurer] from such marine insurance during the preceding three years including the current calendar year namely at the expiration of each current calendar year the profit or loss on the marine insurance business of that year is to be added or deducted and the profit or loss upon such marine insurance business of the first calendar year of the preceding three-year period is to be dropped so that the computation of underwriting profit for purposes of taxation under this act will always be on a three-year average Provided however That an insurer which has not been writing marine insurance in this Commonwealth for the three years shall until it has transacted such business in this Commonwealth for that number of years be taxed on the basis of its annual underwriting profit on marine insurance written within the United States for the current calendar vear subject however to an adjustment in the tax as soon as [the Department of Revenue] in accordance with the provisions of this section it is enabled to compute the tax on the aforementioned three-year basis And provided further That in the case of mutual companies [the Department of Revenue] there shall not [include] be included in underwriting profit when computing the tax prescribed by this section the amounts refunded by such companies on account of premiums previously paid by its policyholders

[When the Department of Revenue has computed tax on an insurer's underwriting profit it shall forthwith mail to the last known address of the principal office of such insurer a statement of the amount so charged against it which amount the insurer shall pay into the State Treasury through the Department of Revenue within thirty days after receipt of such notice from the Department of Revenue Provided however That in assessing taxes] In making assessments under the retaliatory provisions of section two hundred and twelve of the act approved the seventeenth day of May one thousand nine

hundred and twenty-one (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one" credit shall be allowed for any taxes paid or payable under this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, Wm. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 433, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relatig to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred fifteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possesion of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 715 Reports by Marine Insurance Companies Every insurer organized admitted or licensed to transact the business of marine insurance within this Commonwealth shall file on or before the first day of June in each year with the Department of Revenue and in the form prescribed by it a report of all the items pertaining to its insurance business as [enumerated and] prescribed [in the act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" To determine the basis of the tax on underwriting profit every] by law Every insurer which has been writing such insurance in this Commonwealth for three years shall furnish to the Department of Revenue a statement of all [of the aforementioned] such items in the

form prescribed by it for each of the preceding three calendar years An insurer which has not been writing such marine insurance for three years shall furnish to the Department of Revenue a statement of all [the aforementioned] said items for each of the calendar years during which it has written marine insurance Every such insurer at the time of making the report required by this section shall assess its tax upon underwriting profits as provided by law

Section 2 Section eight hundred nine of said act as added to and amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby further amended to read as follows

Section 809 Special Procedure in Connection with the Settlement of Taxes on Domestic Insurance Companies Foreign Insurance Companies Marine Insurers and Excess Insurance Brokers If the Department of Revenue is not satisfied with the assessment of taxes made by any domestic insurance company foreign insurance company marine insurer or excess insurance broker it is hereby authorized and empowered to make a settlement of such taxes penalties and interest due the Commonwealth based upon the facts contained in the report required of such taxable or upon any information within its possession or which shall come into its possession subject to the right of the taxpayer to file a petition for resettlement review and appeal as in the case of other tax settlements

Section 3 Section one thousand seven hundred two of said act as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 711) is further amended to read as follows

Section 1702 Failure of Corporation Association Exchange or Person to Make Bonus or Tax Reports on Time If any corporation association exchange or person or the officer or officers of any corporation association or exchange shall neglect or refuse to furnish to the Department of Revenue within the time prescribed by law or any extension thereof granted by the Department of Revenue any bonus or tax report required by section seven hundred six seven hundred seven seven hundred eight seven hundred ten seven hundred thirteen seven hundred fourteen seven hundred fifteen seven hundred sixteen seven hundred ninteen or seven hundred twenty of this act it shall be the duty of the Department of Revenue to add to the bonus or tax of such corporation association exchange or person for each and every tax period for which such report was not so furnished the following percentages which shall be collected with the bonus or tax in the usual manner of settling and collecting such bonus or tax

On the first one thousand dollars of bonus or tax ten per centum on the next four thousand dollars five per centum and on everything in excess of five thousand dolars one per centum

Section 4 Section one thousand two hundred eight of said act as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 459, entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the Sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the service of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies, providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third heading and consideration of Senate Bill No. 531, as follows:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 236) is hereby further amended to read as follows

Section 370 Annual Budget Control of Expenditures The controller or the county commissioners where there is no controller shall annually prepare a proposed budget for the next fiscal year at least thirty days prior to the adoption of the budget Said budget shall be prepared on forms furnished as provided in second three hundred seventy point one of this act Final action shall not be taken on the proposed budget by the county commissioners until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection by all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The county commissioners shall after making such revision and changes therein as appear advisable adopt the budget and necessary appropriation measures required to put it into effect

Within fifteen days after the adoption of the budget the county commissioners shall file a copy of the same in the office of the Department of Internal Affairs

The county commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

The county commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year During the last fifteen days of any fiscal year the county commissioners shall have the power to authorize the transfer of any unencumbered balance or any portion thereof from any county fund to any fund of the institution district and to reappropriate such moneys to the institution district

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners which will cause the sums appropriated to be exceeded

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third heading and consideration of Senate Bill No. 543, as follows:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on instituton districts and

on the Commonwealth regulatng the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 305 Powers and Duties as to County Institution District Property As a function of the institution district and with its funds the commissioners of each county shall have the power and it shall be their duty

(a) With the approval of the Department of Welfare and of the Court of Quarter Sessions of the Peace upon such notice as the court may require to acquire by purchase or the right of eminent domain lands and buildings for the care of dependents and for farms taking title in the name of the county institution district

(b) To erect equip maintain repair alter and add to institutions for the care of dependents and to equip maintain cultivate and improve farms using their produce for the support of dependents Any plan for the erection or substantial alteration of an institution must be approved by the Department of Welfare

(c) [To] With the approval of the Court of Quarter Sessions of the Peace upon such notice as the court may require to sell or lease real or personal property of the institution district

(d) To pay the other necessary expenses of the institution district

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third heading and consideration of Senate Bill No. 561, as follows:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and

second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institutions districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 238) is hereby further amended to read as follows

Section 309 Budget and Financial Requirements The commissioners of every county institution district shall annually at least thirty days prior to the adoption of the annual budget prepare a proposed budget of the amount of funds that will be required by the district in its several departments for the ensuing fiscal year Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the institution district for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases Such proposed budget shall be prepared on a uniform form prepared and furnished as provided in this act and shall be apportioned to the several classes of expenditures of the district as the commissioners may determine Final action shall not be taken on any proposed budget until after at least ten days' public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The commissioners after making such revisions and changes therein as appear advisable shall adopt the budget and the necessary appropriation measures required to put it into effect Within fifteen days after the adoption of the budget the commissioners shall file a copy of the same in the office of the Department of Internal Affairs

The commissioners may at any time by resolution make a supplemental appropriation for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

The commissioners shall have power to authorize the transfer within the same fund of any unencumbered balances or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the commissioners in any amount which will cause the sums appropriated to specific purposes to be exceeded

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Grrenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third heading and consideration of Senate Bill No. 565, as follows:

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 902 Annual Budget A (1) The board of township supervisors shall annually immediately after their organization meeting in January and at least thirty days prior to the adoption of the annual budget prepare a proposed budget for all funds or annual estimate of revenues and expenditures for the fiscal year beginning on the first Monday of January which shall be filed with the treasurer Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the township for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten percent in the aggregate or more than twenty-five percent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases In all townships the budget shall be prepared on a uniform form prepared and furnished as hereafter provided The estimates in the budget shall specify

(a) The amount of money necessary for the construction maintenance repair and improvement of roads

(b) The amount of money necessary for the construction maintenance and repair of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of equipment machinery teams and implements

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

(e) The amount of money necessary for the payment of debts and other miscellaneous purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 631, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 349) entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws" by providing for the refund of taxes of any kind or character.

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I simply wanted to call the Majority Leader's attention to the fact there seems to be some misunderstanding, at least on the part of the Minority, as to the legal implications of Senate Bill 631, as containing any possible refunds that the municipality might be called upon to make, and unless the Majority leader wants to go into quite an extensive discussion, I would suggest that this bill go over for the present.

BILL PASSED OVER

There being no objection

Senate Bill No. 631, Printers No. 245

was passed over at the request of Mr. ANDREWS.

Agreeably to order,

The House preceeded to the third reading and consideration of Senate Bill No. 654, as follows:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and is hereby proposed in accordance with the eighteenth article thereof—

That article fourteen be amended by adding thereto section eight as follows—

Section 8 (1) In Philadelphia all county offices are hereby abolished and the city shall henceforth perform all functions of county government within its area through officers selected in such manner as may be provided by law

(2) Local and special laws regulating the affairs of the City of Philadelphia and creating offices or prescribing the powers and duties of officers of the City of Philadelphia shall be valid notwithstanding the provisions of section seven of Article Three of this Constitution

(3) All laws applicable to the County of Philadelphia shall apply to the City of Philadelphia

(4) The City of Philadelphia shall have assume and take over all powers property obligations and indebtedness of the County of Philadelphia

(5) The provisions of Article Fifteen section one of the Constitution shall apply with full force and effect to the functions of the county government hereafter to be performed by the city government

(6) This amendment shall become effective immediately upon its adoption

(7) Upon adoption of this amendment all county officers shall become officers of the City of Philadelphia and until the General Assembly shall otherwise provide shall continue to perform their duties and be elected appointed compensated and organized in such manner as may be provided by the provisions of this Constitution and the laws of the Commonwealth in effect at the time this amendment becomes effective but such officers serving when this amendment becomes effective shall be permitted to complete their terms

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper.	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 683, Printers No. 275

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 769, as follows:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the thirty-second judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred and forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain asso-

ciate judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the next municipal election in November one thousand nine hundred and forty-nine the qualified electors of the said thirty-second judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said thirty-second judicial district from the first Monday in January one thousand nine hundred and fifty for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint a competent person learned in the law as such additional law judge of the court of comomn pleas of the said thirty-second judicial district to serve until the first Monday of January one thousand nine hundred and fifty

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. O'DARE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. TAHL from the Committee on Elections and Apportionment, reported as committed, House Bill No. 757, entitled:

An Act to further amend subsection (f) of section thirty-eight of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by eliminating the serial number on the voter's certificate.

Mr. DRISCOLL from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1008, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. .L. 1333), entitled "An act concerning elections, including general, municipal special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors at primaries and elections.

Mr. READINGER from the Committee on Appropriations, reported as amended, House Bill No. 183, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situated in Delaware County Pennsylvania.

Mr. WOOD from the Committee on Appropriations, reported as amended, House Bill No. 525, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Mr. STANK from the Committee on Appropriations, reported as amended, House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947.

Mr. McMILLEN from the Committee on Education, reported as amended, House Bill No. 454, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education and district superintendents and repealing certain provisions of said act.

Mr. SCHMIDT from the Committee on Education reported as amended, House Bill No. 861, entitled:

An Act to amend the Act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An Act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupation and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities and providing compensation for certain officers, and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

Mr. FLEMING from the Committee on Education reported as amended, House Bill No. 862, entitled:

An Act to amend the Act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, county treasurer, board of public education in such districts and courts; providing for compensation to certain officers, and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years, and by imposing certain duties on school treasurers, in certain school districts of the first class, and relieving county treasurers of certain duties under this act.

Mr. O'DONNELL from the Committee on Elections and Apportionment, reported as amended, Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legaslative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act to further amend subsection (f) of section thirty-eight of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicle for moving furniture and household goods, and boards of school directors; and imposing penalties," by eliminating the serial number on the voter's certificate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1008, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto: and repealing certain acts and parts of acts relating to elections," by further providing for the compensation of judges, inspectors, clerks and machine inspectors at primaries and elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGES

CONCURRENT RESOLUTION RECALLING SENATE BILL No. 456

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concurs), That Senate Bill No. 456, Printer's No. 241, entitled "An act to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors: providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation,' by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products; providing penalties; and making appropriations from the Motor License Fund and the Liquid Fuels Tax Fund for the payment of such reimbursements," be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 18, 1949, at one o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, April 18, 1949, at one o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. MINTESS asked and obtained unanimous consent to have his remarks extended on the record as follows:

Mr. MINTESS. Mr. Speaker, I would like to present a statement and ask that it be printed in full in the journal.

The SPEAKER. Because of the lateness of the hour, the gentleman from Philadelphia asked to have his remarks extended on the journal without taking up the time of the House. If there is no objection, the remarks will be extended upon the journal. The Chair thanks the gentleman.

Mr. MINTESS asked and obtained unanimous consent to address the House.

Mr. Speaker: My vote against the discharge of the Committee on Labor Relations for its failure to act upon the FEPC Bill introduced into this chamber by the Honorable Louis Sax and myself has been the subject of such unfair criticism that I deem it proper to set forth my reasons and purpose.

The bill sponsored by Representative Sax and myself is identical to the Meade-Frazier Bill presented in the Senate. Not only the Republican leaders supporting FEPC in the State, but also civic and racial leaders favoring this kind of legislation were agreeable to the proposition that the Meade-Frazier Bill was to be pushed and all other FEPC bills, including the Sax-Mintess bill were to be held and not pressed for enactment. This understanding is known to every member of this body.

I could not in good faith therefore stigmatize the House Committee on Labor Relations as derelict and inefficient in handling this legislation when I know this Committee was merely carrying out the will of all those friendly to a strong State FEPC law.

The Meade-Frazier Bill had only been killed by the Judiciary General Committee of the Senate an hour before a motion was introduced to this body to discharge the Labor Relation Committee. Certainly nobody could criticize this Committee for failure to call a meeting within the hour between the death of the Meade-Frazier bill in the Senate and the motion to discharge the Labor Relation Committee. My vote, therefore, meant that I did not think the Committee on Labor Relations was derelict or inefficient in handling the Sax-Mintess FEPC Bill due to the circumstances I have just stated and I did not think it honest to smear the Committee by discharging it without reasonable cause.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 43

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the state treasury to be known as the toll bridge fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

HOUSE BILL NO. 45

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation

proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State authority or agency for the acquisition of such toll bridges providing for the operations of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

HOUSE BILL NO. 173

An Act to amend section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year

HOUSE BILL NO. 229

An Act to amend section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics

HOUSE BILL NO. 487

An Act to repeal subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the special fund for game lands

HOUSE BILL NO. 572

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision

HOUSE BILL NO. 703

An Act to authorize counties cities borough incorporated towns townships school districts poor districts and county institutions districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scrie facias on certain tax or municipal claims and to revieve judgements where the lien of such claims or that judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgements

HOUSE BILL NO. 709

An act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent

HOUSE BILL NO. 731

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors

HOUSE BILL NO. 835

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

HOUSE BILL NO. 858

An Act to amend section thirty-four subsection (1) of the act approved the tweny-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records

HOUSE BILL NO. 1001

An Act to provide for an additional law judge of the court of common pleas in the twelfth judical district

HOUSE BILL No. 1005.

An Act to amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county instittution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing the boards of school directors to add names to the tax assessment lists and tax duplicates.

HOUSE BILL No. 1051.

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

HOUSE BILL No. 1257.

An Act to repeal certain provisions of and to add a new article eight to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission and authorizing and empowering the Secretary of Highways with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for

such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation

HOUSE BILL No. 1258.

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolising creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" abolishing the State Bridge Commission and its functions

HOUSE BILL No. 1300.

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law

HOUSE BILL No. 1301.

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 177.

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the authority and prescribing the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 485.

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 177.

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" changing and increasing membership of the Authority and prescribing

the number of members required for a quorum stating the purposes for which money may be borrowed further defining the basis for establishing the fees rentals and charges for the use of its projects authorizing school districts singly or jointly with other districts to contract to lease and lease the projects of the Authority extending the authorized term of leases and bond issues providing for facsimile and manual signatures on bonds making bonds of the Authority legal investments providing for the issuance of refunding bonds permitting public or private sale of bonds providing for additional bond from contractor providing for a sinking fund and providing that property leased owned acquired or held in any manner by the Authority shall be tax exempt.

SENATE BILL No. 349.

An Act establishing within the limits of Philadelphia, the Eastern Pennsylvania Psychiatric Institute, as a State institution; providing for a board of trustees and a medical advisory board therefor; conferring powers and imposing duties upon the Department of Property and Supplies, the Department of Welfare, the board of trustees and the medical advisory board.

SENATE BILL No. 485.

An Act to regulate and establish the fees to be charged and collected by the recorders of deeds in counties of the first class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, 135, 614, 626, 748, 760, 761, 762, 786, 794, 797, 803, 819, 825, 841 and 850.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 107.

An Act to amend clause (c) of section nine hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the number of signatures required on nominating petitions of associate judges, unlearned in the law.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill by adding Section 2 as follows "Section 2 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling.	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Sorg,
Brice,	Harney,	Moore, H. A.,	Spencer,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenshield,	Munley,	Sternberg,
Brunner,	Heatherington,	Murray,	Stimmel,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins,
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent.	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Ewing,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Worley,
Filo,	Kratz,	Reese,	Yaffe,
Firmstone,	Kurtz,	Reidenbach,	Yeakel,
Flack,	Lederer,	Reilly, J. M.,	Yester,
Fleming,	Lee,	Reynolds,	Yetzer,
Floyd,	Leisey,	Riley, R. L.,	Young,
Fox,	Leonard,	Robbins,	Ziegler,
Frank	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 461.

An Act to add subdivision (F) to section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and

protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life subject to certain conditions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10 by inserting after the word "insurance" the words "any domestic mutual fire insurance company which takes advantage of the provisions of this subsection (f) shall not be required to license any of its agents."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—1

Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 625.

An Act to further amend subsection (c) of section nine hundred two of the act appproved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 14 by striking out after the word "of" the "(".

Amend Section 1, page 4, line 15 by striking out after the word "inches" the ")".

Amend Section 1, page 4, line 15 by inserting after the word "inches" the following words "except motor buses with toilet facilities which shall not exceed a length of."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,

Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Ewing,	Kohl,	Propert,	Wood,
Felton,	Kolankiewicz,	Readinger,	Worley,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg, Speaker
Frank,	Limper,	Robertson,	

NAYS—0

NOT VOTING—1

Krise.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 107.

An Act to amend clause (c) of section nine hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the number of signatures required on nominating petitions of associate judges unlearned in the law

HOUSE BILL No. 461.

An Act to add subdivision (f) to section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lolyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life subject to certain conditions.

HOUSE BILL No. 625.

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles.

Whereupon,

The SPEAKER, in the presence of the House, signed the same

SENATE MESSAGES

The SPEAKER. Because of the lateness of the hour, the Chair will lay upon the table Senate Messages returning House Bills 508, 764 ond 828 with amendments. The Chair hears no objection.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HELM asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETINGS

Appropriations, Room 246, Tuesday, April 12, at 10:00 a. m.

Cities—Third Class, Room 521, Tuesday, April 12, at 10:00 a. m.

Judiciary, Room 149, Tuesday, April 12, at 9:30 a. m.

Professional Licensure, Room 325, Tuesday, April 12, at 10:00 a. m.

Public Health and Sanitation, Room 522, Tuesday, April 12, at 10:30 a. m.

Townships, Room 522, Tuesday, April 12, at 10:00 a. m.

Ways and Means, Room 330, Tuesday, April 12, at 10:15 a. m.

Republican Caucus, New Caucus Room, Tuesday, April 12, at 11:00 a. m.

ADJOURNMENT

Mr. GLEMBOCKI. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 12, 1949, at 12:00 noon.

The motion was agreed to, and (at 8:00 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., TUESDAY, APRIL 12, 1949. No. 44.

SENATE

TUESDAY, APRIL 12, 1949

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. Father ROY C. KEFFER offered the following prayer:

Come, Oh Holy Spirit, fill the hearts of Thy faithful people, and kindle in them the fire of Thy love.

Penetrate the souls of the Members of this Senate with a deep knowledge and understanding of Thy will in all things, so that the common good might ever be served, through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the journal of the preceding session, when, on motion of Mr. WALKER and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

CIVICS CLASS OF CAMP HILL HIGH SCHOOL PRESENTED TO SENATE

Mr. WADE. Mr. President, I would like to announce that we are honored today by a visit of the Civics Class of the Camp Hill High School, led by Mrs. Schecter, their teacher.

The PRESIDENT. The Chair is very glad to welcome the group from the Camp Hill High School, and hope you will enjoy the Session.

MRS. RAE V. BIESTER, DELAWARE COUNTY TREASURER, AND ASSOCIATES, PRESENTED TO SENATE

Mr. WATKINS. Mr. President, I have indeed the great pleasure today to introduce a very distinguished lady from Delaware County, Mrs. Rae V. Biester, our County Treasurer, and three of her very able assistants, and it gives me great pleasure to present them to the Senate.

The PRESIDENT. I would ask Mrs. Biester to please rise. We are very glad to meet you and your assistants, and we know that you have your eye on the Senator from Delaware County.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 603, PRINTER'S No. 186

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 603, Printer's No. 186, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 107

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by providing for the number of signatures required on nominating petitions of associate judges, unlearned in the law.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 461

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 461, entitled:

An Act to add subsection (c.1) to section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life, subject to certain conditions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 508

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 508, entitled:

An Act to amend section one thousand four hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 625

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the total maximum length of certain vehicles.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 764

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 764, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "Pennsylvania Election Code" by further providing for the compensation of certain election officials in counties of the first class; and changing the requirements for delivery of voting machine keys; for the preparation of duplicate return sheets in certain cases; for the payment of certain campaign expenses; for the filing of expense accounts and the delivery of blanks therefor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 828

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," by changing the method of computing payments in lieu of devices at dams to enable fish to migrate; and increasing the amount of maximum payments.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 456

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concur) That Senate Bill No. 456, entitled:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or nonlicensed powered farm machinery for purposes relating to the actual production of farm products.

be recalled from the Governor for the purpose of further study.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 11, 1949.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 18, 1949, at one o'clock P. M., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, April 18, 1949, at one o'clock P. M., E.S.T.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 111, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for the compulsory permanent revocation of operator's license, on second conviction of operating a motor vehicle, while under the influence of intoxicating liquor or narcotic or habit producing drug.

Which was committed to the Committee on Highways.

House Bill No. 254, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing under what circumstances hunting camp and cabin site leases may be cancelled by the Commonwealth.

Which was committed to the Committee on State Government.

House Bill No. 363, entitled:

An Act to amend section twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class Retirement Law," by changing the amount of the county annuity to which a beneficiary is entitled upon retirement for superannuation.

Which was committed to the Committee on Local Government.

House Bill No. 569, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by designating all murder committed during the perpetration or attempt to perpetrate sodomy as murder of the first degree

Which was committed to the Committee on Judiciary General.

House Bill No. 577, entitled:

An Act to further amend sections one hundred one, one hundred sixteen and two hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by requiring approval of State Council of Education and county board of school directors before creation or affecting bundaries of third and fourth class districts.

Which was committed to the Committee on Education.

House Bill No. 604, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting motor vehicles of war amputees obtained through Veterans' Administration from the payment of registration fees.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 895, entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by giving additional preferences to certain disabled soldiers and their wives.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 911, entitled:

An Act to further amend section six of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by providing additional grounds for revocation of registration.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

Which was committed to the Committee on Local Government.

House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgements by the registration thereof in the courts of this Commonwealth, prescribing procedure for the obtaining of jurisdiction over the judgment debtor, the raising of defenses thereto, appeals therefrom, and execution thereon and saving existing methods of enforcing the same.

Which was committed to the Committee on Judiciary General.

House Bill No. 1107, entitled:

An Act to amend section two hundred fifteen and to further amend section two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the method of filling vacancies in the boards of school directors, in certain cases.

Which was committed to the Committee on Education.

House Bill No. 1197, entitled:

An Act to repeal the act, approved the third day of April, one thousand eight hundred seventy-two (P. L. 751), entitled "An act to prohibit the use of billiard tables, bowling alleys, dice or card tables, in the township of Wyalusing, in the county of Bradford," in so far as it prohibits the keeping or using of bowling alleys in that portion of the former township which is now the Borough of Wyalusing.

Which was committed to the Committee on Law and Order.

House Bill No. 1306, entitled:

An Act to further amend the first paragraph of section five hundred two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by fixing the annual registration fee for certain trailers.

Which was committed to the Committee on Highways.

House Bill No. 1319, entitled:

An Act to amend sections four and ten of the act, approved the second day of July, one thousand nine hundred and forty-seven (P. L. 1199), entitled "An Act imposing a State tax. payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by decreasing the amount of the permanent tax imposed thereunder; by imposing an additional State tax on fuels for a limited period of time and providing for the disposition and use thereof.

Which was committed to the Committee on Finance.

HOUSE CONCURS IN SENATE BILL No. 5

He also returned to the Senate, Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 191

He also returned to the Senate, Senate Bill No. 191, entitled:

An Act to further amend Section three of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for, and payment of such items.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 192

He also returned to the Senate, Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one thousand twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing investments in second liens in cases and under conditions herein specified.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 230,

He also returned to the Senate, Senate Bill No. 230, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand eight hundred fifty-eight (P. L. 622), entitled "An act regulating the Rate of Interest," by excepting loans made under the National Housing Act.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 231

He also returned to the Senate, Senate Bill No. 231, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the right, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by modifying limitations upon officers holding more than one office; permitting additional borrowing; permitting additional investment in property used in the transaction of business; broadening mortgage lending limitations; and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 340

He also returned to the Senate, Senate Bill No. 340, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 432

He also returned to the Senate, Senate Bill No. 432, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven, (P. L. 998), entitled "An act imposing a tax for State purposes on marine insurance underwriting profits, and providing for the collection of such tax," by making the tax payable at the time reports are made.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 433

He also returned to the Senate, Senate Bill No. 433, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recover of fees and other money or property due

or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation reguired to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue and fixing penalties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 531

He also returned to the Senate, Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 543

He also returned to the Senate, Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the state department of welfare and the state department of public assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 561

He also returned to the Senate, Senate Bill No. 561, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Deparment of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 565

He also returned to the Senate, Senate Bill No. 565, entitled:

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 654

He also returned to the Senate, Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 769

He also returned to the Senate, Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

with the information that the House has passed the same without amendments.

SENATE BILL No. 245 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to certain members on retirement.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 246 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 246, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis; permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service, or on reduced allowances after twenty-five years of such service; increasing the scale of disability benefits; and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 176 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 176, entitled:

An Act validating certain sheriffs' sales of real estate for non-payment of taxes and other municipal liens, and validating the title to such real estate in the hands of purchasers, their heirs, grantees, and assigns.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The amended bill will appear on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows.:

House Bill No. 43, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges; defining the powers and duties of the Governor the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of such bonds; and making an appropriation.

House Bill No. 45, entitled:

An Act empowering the Secretary of Highways to acquire toll bridges located wholly within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation.

House Bill No. 107, entitled:

An Act to amend clause (c) of section nine hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by providing for the number of signatures required on nominating petitions of associate judges, unlearned in the law.

House Bill No. 173, entitled:

An Act to amend section two thousand two hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by eliminating the requirement that the amount of a contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year.

House Bill No. 229, entitled:

An Act to amend section four hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics.

House Bill No. 461, entitled:

An Act to add subsection (c.1) to section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by authorizing insurance companies other than life and title to transact any or all of the kinds of insurance included in said section other than life, subject to certain conditions.

House Bill No. 487, entitled:

An Act to repeal subsection (v) of section one thousand four hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by eliminating the special fund for game lands.

House Bill No. 508, entitled:

An Act to amend section one thousand four hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

House Bill No. 572, entitled:

An Act to further amend clause (3) of subsection (b) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision.

House Bill No. 625, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the total maximum length of certain vehicles.

House Bill No. 703, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

House Bill No. 709, entitled:

An Act to further amend section eight hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing county boards of school directors to provide, administer and supervise special services and superintendents; and authorizing contracts with school districts not under the jurisdiction of a county superintendent.

House Bill No. 731, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors.

House Bill No. 764, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" by further providing for the compensation of certain election officials in counties of the first class; and changing the requirements for delivery of voting machine keys; for the preparation of duplicate return sheets in certain cases; for the payment of certain campaign expenses; for the filing of expense accounts and the delivery of blanks therefor.

House Bill No. 828, entitled:

An Act to further amend section one hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," by changing the method of computing payments in lieu of devices at dams to enable fish to migrate; and increasing the amount of maximum payments.

House Bill No. 835, entitled:

An Act limiting the forfeiture, confiscation, seizure, or taking of motor vehicles used in violation of law.

House Bill No. 858, entitled:

An Act to amend section thirty-four, subsection (1) of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act," by extending penalties already provided to unlawful disclosures of information contained in vital statistical records.

House Bill No. 1001, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

House Bill No. 1005, entitled:

An Act to amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "Local Tax Collection Law" by authorizing the boards of school directors to add names to the tax assessment lists, and tax duplicates.

House Bill No. 1051, entitled:

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses; defining the powers and duties of the Department of Agriculture and providing penalties.

House Bill No. 1257, entitled:

An Act to repeal certain provisions of, and to add a new article eight to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties, and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission; and authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

House Bill No. 1258, entitled:

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," abolishing the State Bridge Commission and its functions.

House Bill No. 1300, entitled:

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law.

House Bill No. 1301, entitled:

An Act to add section one thousand two hundred eight point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations, facts or circumstances.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. DOEHLA, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 870, entitled:

An Act authorizing the court in any proceeding to establish paternity to order the parties therein, to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

Mr. McPHERSON, JR., from the Committee on Insurance, reported as amended, Senate Bill No. 637, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 638, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 644, entitled:

An Act to add section three hundred fifty-seven to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by prohibiting certain insurance companies from entering into contracts for additional compensation with their directors, officers and employes and requiring prior approval by the Insurance Commissioner of management and general agency contracts.

He also, from the Committee on Insurance, reported as amended, Bill No. 645, entitled:

An Act requiring companies and organizations subject to the provisions of the act of June 11, 1947 (P. L. 538) or the act of June 11, 1947 (P. L. 551) or section 654 of the act of May 17, 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 646, entitled:

An Act to repeal the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 687), entitled "An act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals, and against personal injury and disablement and death, including endowment insurance; regulating such corporations, and limiting the amounts for which such corporations may issue policies" in so far as the provisions thereof relate to the reincorporation or the merger and reincorporation of beneficial societies as stock companies.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 649, entitled:

An Act to amend section twenty-nine of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds

collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by changing the basis for valuation determinations in certain respects.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 650, entitled:

An Act to add section thirty point one of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits.

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 244, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 343, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 467, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the Pennsylvania Hospital Survey and Construction Act of 1947.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 521, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 662, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction of building space, purchase of equipment and the installation of such equipment for the School of Medicine of the University of Pittsburgh, for the purpose of enabling the University of Pittsburgh to accommodate a fifty per cent increase in the number of students accommodated by the University for the study of medicine.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 869, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of establishing and operating a poultry laboratory at the Pennsylvania State College and requiring the Poultry Industry to match the funds so appropriated.

Mr. WATKINS, from the Committee on Insurance, reported as committed, Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of

low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan certain dental services; defining "dental services" and further defining "medical services."

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 835, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery

Mr. WATSON, from the Committee on Appropriations, reported as amended, Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean, Potter, and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, and May, one thousand nine hundred forty-six, and of carrying out the provisions of existing laws relating thereto.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 681, entitled:

An Act making an appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 496, entitled:

An Act making an appropriation to The Pennsylvania School for the Deaf at Mount Airy, Philadelphia, Pennsylvania, for the purpose of acquiring installing replacing and renewing certain equipment and machinery.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 486, entitled:

An Act making an appropriation to th Board of Trustees of the Philadelphia Museum, Philadelphia.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 130, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

Mr. SCARLETT, from the Committee on Appropriations, reported as committed, Senate Bill No. 478, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund and service requirements on the State debt.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 503, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 754, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Mr. WADE, from the Committee on State Government, reported as amended, House Bill No. 344, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined, "by regulating the dismissal, suspension, demotion and retirement of enlisted members of the Pennsylvania State Police.

Mr. T. NEWELL WOOD, from the Committee on Banking, reported as amended, House Bill No. 1046, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain

installments sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties and repealing certain act," by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof by further regulating the refund for prepayment of instruments used in connection with such installment sales by further regulating repossessions, redemptions, reseales and deficiency judgments and the rights of parties with respect thereto.

Mr. CROWE, from the Committee on Insurance, reported as amended, Senate Bill No. 641, entitled:

An Act to amend section eight hundred six of the act. approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the requirements for contingent premiums.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 475, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 476, entitled:

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 506, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 513, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

PERMISSION TO ADDRESS SENATE

Mr. FRAZIER asked and obtained unanimous consent to address the Senate.

Mr. FRAZIER. Mr. President, it was my misfortune to be out of the Senate Chamber when the gentleman from Delaware, Senator Watkins, presented to the Senate the distinguished Treasurer from Delaware County, and I would like to say a word or two in addition to what he has already stated.

Mr. President, you may remember I was given the honor and privilege of going to Kansas City two years ago with the delegation which went from Philadelphia and the state to try and bring the Republican National Convention to Philadelphia. One of the most active of that Committee was Mrs. Biester. She, I think, did as much as anybody on the way out to make herself charming and hospitable, and in Kansas City to influence the delegates from the United States to look favorably upon Philadelphia.

Mr. President, I think one of the finest speeches that was ever made was the speech Mrs. Biester made, and I just want to take this opportunity to say that it is a pleasure for me to say a word or two about her.

Mr. FRAZIER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 820, entitled:

An Act to further amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to Public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by imposing upon counties a percentage of all public assistance costs and the powers and duties of administering public assistance through the county boards of assistance.

He also, from the Committee on State Government, reported as committed, House Bill No. 121, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further de-

fining State employes and original members by extending the time until which employes of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hosptals may become contributors to the State Employes' Retirement Fund

Mr. STEVENSON, from the Committee on Local Government, reported as amended, Senate Bill No. 446, entitled:

An Act to amend sections one, two, three and four and seven and to repeal section five of the act approved the twenty-fifth day of June, one thousand nine hundred and forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," prohibiting the levy and collection of certain taxes; providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected; requiring reduction of tax rates in certain cases and affording remedies to compel such reduction; imposing limits on rates of certain taxes; regulating appeals from tax ordinances and resolutions; providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

He also, from the Committee on State Government, reported as committed, House Bill No. 265, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the distribution to the public of documents published by the Department of Property and Supplies

He also, from the Committee on State Government, reported as committed, House Bill No. 624, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .4135 acres more or less situate in the Township of Franklin County of Greene formerly used by the Department of Highways of the Commonwealth.

BILL RE-REFERRED

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 78, entitled:

An Act creating a special committee under the Joint State Government Commission to make a study of smoke and soot nuisances and methods of control and enforcement, providing for the appointment of a smoke nuisance study committee; authorizing the employment of necessary assistants; prescribing its powers and duties; and making an appropriation.

which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. DiSILVESTRO, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 818, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating or drinking places within this Commonwealth; defining public eating or drinking places; requiring their licensing; defining licensor; conferring certain powers on the Department of Health of this Commonwealth and on the local health authorities; providing for appeals in certain cases and conferring jurisdiction in such cases upon certain courts; providing for summary proceedings for violations of this act and prescribing penalties.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 664, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for expenditure thereof for the purposes of study and research in the development of the adaptation of the acid open hearth process, for the manufacture and improvement of steel, more particularly of special grades of steel.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 374, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 507, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 492, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania for medical education and research.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 12, entitled:

An Act making an appropriation to the National Agricultural College, Farm School, Pennsylvania, at Doylestown, Pennsylvania.

Mr. LEADER, from the Committee on Insurance, reported as amended, Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business in this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers.

Mr. RUTH, from the Committee on Appropriations, reported as amended, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary, secondary and vocational schools.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 328, entitled:

An Act making appropriations to the Department of Property and Supplies and the Pennsylvania Historical and Museum Commission to be used to purchase property in Montgomery County, Pennsylvania and in restoration work at Pottsgrove, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 718, entitled:

An Act to add section five hundred twenty-two to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising and consolidating and changing the laws relating thereto" by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board imposing duties on the Department of Public Instruction and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 469, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 493, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Reirement System with respect to State employes receiving compensation from the Public Building Construction Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 505, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 509, entitled:

An Act to authorize the collection and preservation of scattered public records and manuscript materials of the Commonwealth by the Pennsylvania Historical and Museum Commission and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 514, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. MAHANY, from the Committee on Local Government, reported as amended, House Bill No. 543, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by regulating the publication of ordinance and the letting of contracts eliminating publication of the controller's financial report providing for its filing with the clerk of the court of quarter sessions and allowing appeal therefrom upon the filing of a bond and regulating the making and publication of an annual report and financial statement by the director of accounts and finance after approval thereof by the controller

Mr. PECHAN, on behalf of Mr. MEADE, from the Committee on State Government, reported as committed, House Bill No. 146, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further providing for the membership of certain State boards and commissions.

BILL RE-REFERRED

He also, on behalf of Mr. MEADE, from the Committee on State Government, reported as committed, House Bill No. 966, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property and making an appropriation.

which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. DENT, from the Committee on Law and Order, reported as committed, House Bill No. 898, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-

ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorney authorizing the establishment and operation of State stores for the sale of such beverages for consumption on and off the premises the granting of licenses subject to local option to sell such beverages for consumption on and o the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by exempting television exhibitions from provisions of the act requiring special permits

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 470, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligation of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 477, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 480, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 481, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 487, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 499, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

Mr. ROSENFELD, from the Committee on State Government, reported as committed, Senate Bill No. 629, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

He also, from the Committee on State Government, reported as committed, House Bill No. 410, entitled:

An Act to amend section four hundred forty-four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" reducing the minimum number of meetings to be held each year by the State Council for the Blind.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 635, entitled:

An Act to further amend section six hundred thirty-nine of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," empowering the Insurance Commissioner to refuse to renew licenses under certain conditions.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 745, entitled:

An Act to add section two hundred eleven point one to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner

Mr. TARR, from the Committee on State Government, reported as committed, House Bill No. 674, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges" by authorizing the Attorney General of the Commonwealth of Pennsylvania to issue to the prothonotaries of the courts of common pleas in the State of Pennsylvania his praecipe for the satisfaction of liens entered on the real estate of the land grant college of Pennsylvania under the provisions of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 736), and prescribing procedure therefor.

He also, from the Committee on State Government, reported as amended, House Bill No. 874, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further regulating resettlements; and further providing for liens of taxes, bonus, penalties and other accounts and interest.

BILLS INTRODUCED AND REFERRED

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 904, entitled:

An Act to further amend clause (7) of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the definition of "employe" by further defining the term "employe."

Which was committed to the Committee on Education.

Messrs. LETZLER, DIEHM, DENT and BARR read in place and presented to the Chair Senate Bill No. 905, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, borough, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by exempting from taxation the volume of business derived from certain sales of trade-ins.

Which was committed to the Committee on Local Government.

Mr. LORD, JR. read in his place and presented to the Chair Senate Bill No. 906, entitled:

An Act to further amend clause (e) of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties, and citing certain acts for repeal," by excepting personal property held by husband and wife as joint tenants, with right of survivorship, from taxes imposed by said act.

Which was committed to the Committee on Judiciary General.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 907, entitled:

An Act to amend the definition of "sub-contractor" in section one of the act, approved the fourth day of June, one thousand nine hundred one (P. L. 431), entitled "An

act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or materials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, tollroad, conduit, tunnel, mine, coalbreaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct; telegraph, telephone, railway or railroad line; canal, mill-race; works for supplying water, heat, light power, cold air, or any other substance furnished to the public; well for the production of gas, oil or other volatile or mineral substance; or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," by including in such definition journeyman craftsmen, and giving to such journeymen craftsman a right to a lien for work performed in the erection, construction or removal of a structure.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair enate Bill No. 908, entitled:

An Act to further amend section one thousand seven hundred twelve of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by revoking the authority of boroughs to grade, curb, gutter, pave, macadamize, or otherwise improve, streets or parts or a particular width or additional widths, thereof without petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 909, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

Which was committed to the Committee on Appropriations.

Messrs. HARE and WALKER read in place and presented to the Chair Senate Bill No. 910, entitled:

An Act to regulate, control and stabilize rents during the existing public emergency, creating a temporary State Rent Control Board, prescribing its powers and duties, and making an appropriation therefor.

Which was committed to the Committee on State Government.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 911, entitled:

An Act to amend, or further amend, Sections three hundred seven, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, and three hundred nineteen, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225, entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the license period, removing the limitation on bonds for license issuing agents, authorizing mechanical recording of hunting accident testimony, and eliminating the requirement that persons unable to produce a hunter's license upon demand shall deposit penalty pending submission of certain proof, and changing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. HARE and WALKER read in place and presented to the Chair Senate Bill No. 912, entitled:

An Act providing for zoning regulations and restrictions for certain areas adjacent to certain highways; prescribing the rights, obligations and liabilities of owners and users of property within such areas; providing for enforcement thereof; prescribing penalties; creating a State Roadside Zoning Commission; defining its powers and duties and imposing duties on recorders of deeds and on officers and agencies of the Commonwealth and of political sub-divisions.

Which was committed to the Committee on Highways.

They also read in place and presented to the Chair Senate Bill No. 913, entitled:

An Act giving to cities, boroughs and townships, certain temporary powers, regarding rent control.

Which was committed to the Committee on Local Government.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 914, entitled:

An Act to amend section four of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1410), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith," by changing and equalizing the salary of certain judges.

Which was committed to the Committee on Judiciary General.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 915, entitled:

An Act to further amend subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining and regulating group accident and health insurance.

Which was committed to the Committee on Insurance.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 916, entitled:

An Act granting credit toward pension or retirement benefits of certain employes of political subdivisions for time spent in the military service of the United States.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 917, entitled:

An Act to amend the title and section one of the act, approved the twenty-third day of May, one thousand nine hundred forty-seven (P. L. 293) entitled, "An act permitting certain personnel of State owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases," by including managers of veterans administration hospitals within the provisions of the act.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 918, entitled:

An Act granting credit toward pension or retirement benefits of certain members of the fire department employed by political subdivisions for time spent in the military service of the United States.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. YOSKO and RUTH read in place and presented to the Chair Senate Bill No. 919, entitled:

An Act to promote safety in air transportation by requiring pilots to obtain clearance certificates before beginning flights.

Which was committed to the Committee on Military Affairs and Aeronautics.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, some of the professions which are regulated by Boards have a strangle-hold on the free economy of Pennsylvania. One of these professions is the Certified Public Accountants. A method whereby they have a strangle-hold on the free economy of Pennsylvania is to conduct examinations only once a year.

Now this bill, Mr. President, tends to correct that evil and for that purpose I am proposing by this bill to hold examinations twice a year.

Mr. President, I read in place and present to the Chair the following bill.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 920, entitled:

An Act to amend clause two of section three of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (P. L. 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants; and for the suspension and revocation of such certificates subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws," by requiring that examinations be held at least twice in each calendar year.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 921, entitled:

An Act requiring certain public, city and county offices, bureaus, departments and courts in cities and counties of the first class to remain closed all day Saturday during a certain period of the year.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 922, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Stetson Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 923, entitled:

An Act prescribing the quantity of power to be furnished to certain consumers by electric power companies and conferring upon the Public Utility Commission the power and duty of enforcing the provisions of the act; and to entertain complaints, conduct hearings and investigations and make orders.

Which was committed to the Committee on Corporations.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 924, entitled:

An Act to provide for an additional law judge of the court of common pleas in the tenth judicial district.

Which was committed to the Committee on Judiciary General.

Messrs. HOLLAND and GELTZ read in place and presented to the Chair Senate Bill No. 925, entitled:

An Act making an appropriation to the Alcoholic Information Center and Clinic of the Western Pennsylvania Committe for Education on Alcoholism Incorporated, Pittsburgh, Pennsylvania, for the purpose of expanding their facilities for research concerning the care and treatment of alcoholics, the training of personnel and the maintenance of patients.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

EULOGIZING FORMER PRESIDENT FRANKLIN DELANO ROOSEVELT

Mr. DENT. Mr. President, I desire the permission of the Members of the Senate to make a few short remarks today on the anniversary of the death of Franklin Delano Roosevelt.

Mr. President and Members of the Senate, I was reminded this afternoon by Members of the Democratic Caucus that this is the fourth anniversary of the death of Franklin Delano Roosevelt. Those of us who were fortunate enough to live in his time will probably never be able to evaluate his record and his place in history. Those of us who followed him closely were convinced from the very beginning that he was a man of destiny, and one of his interests, deep down in his heart, was the ordinary citizens of America.

I believe, Mr. President, and I am sure that many citi-

zens of America join me in the same belief, that his coming upon the national scene was a saving grace for the people of America, for at that time we found ourselves in the midst of a great depression, people were without help, many folks were without proper food and proper shelter, and the nation itself was floundering around not knowing where it was headed for or what to do to stop this depression that we found ourselves at that time in.

Mr. President, I am happy and proud to have been a Member of the Official Family of Legislators who all over these United States followed him in his efforts to create a better America. The fact that today we are the leading nation in the whole world is proof positive that he was that type of a leader.

Mr. President, I ask that the Members of this Senate join me with the rest of America today in setting aside a moment of thought only for this great American who will go down in history amongst the greatest of all Americans

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 167, as follows:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohbiting cities counties wards boroughs townships institution districts and other political subdivisons from mantaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohbiting cities counties wards boroughs townships institution districts and other political subdivisons from mantaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 418) and the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 706) is hereby further amended to read as follows

Section 2

* * * * *

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one housand nine hundred [forty-nine] fifty-one Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full, so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigent and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivisions The purchase price agreed upon as aforesaid may in addition to the payment of money by the Commonwealth also include the transfer by the Commonwealth to the institution district of the county in which the same is located for the care and maintenance of indigent persons of lands buildings furnishings equipment and other chattels heretofore used by the Commonwealth for the care of mental patients upon certification by the Department of Welfare approved by the Governor that the same are no longer required by the Commonwealth for the purpose of a mental hospital, An authenticated copy of such certification and approval with reference to the provisions of this act when duly recorded in the office of recorder of deeds of the proper county shall operate as a good and sufficient deed of conveyance and assignment of such property from the Commonwealth to the institution district of said county

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No 167

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 167.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, entitled:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title, by inserting after the word "city" the following "and requiring the furnishing of county duplicates in such cases"; Amend Sec. 1 (Sec. 674), page 4, lines 6, 7 and 8, by striking out the words "and where the" in line 6, and all of lines 7 and 8; Amend Sec. 1 (Sec. 675), page 5, lines 15 to 18, by striking out the words "and where the school district does not comprise the same terri-" in line 15, and all of lines 16 to 18, both inclusive, and inserting in lieu thereof, the following: "the county commissioners or other proper officials in the county shall at the expense of the county, furnish to the school district a properly certified duplicate of the last adjusted valuation of all real estate, personal property and residents or inhabitants made taxable for county purposes in such school district."

On the question.

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 20, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further defining "club"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further defining "Club".

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 114, as follows:

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled

"An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 707 Sale of Unused and Unnecessary Lands and Buildings The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings by any of the following methods and subject to the following provisions

* * * * *

(8) Notwithstanding the foregoing provisions of this section any school district of the third or fourth class upon approval of two-thirds (2/3) of the members of the board of school directors of such district may convey any unused and unnecessary land and buildings of the district to the city borough town or township the boundaries of which are coterminous with those of the district without consideration or for such consideration and on such terms of exchange or otherwise as may be agreed upon without first complying with the requirements of the foregoing provisions of this section

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 153, as follows:

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 950) is hereby further amended to read as follows

Section 12 Retirement upon disability shall be made and discontinued as follows

* * * * *

(2) Once each six months and at such other times as may be deemed necessary the retirement board shall require any disability annuitant to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty [or that such disability beneficiary is able to engage in a gainful occupation] and should the retirement board concur in such report then the disability retirement allowance shall be discontinued [or reduced to an amount that shall not be in excess of the amount by which the amount of last year's salary of the beneficiary as a State employe exceeds his present earning capacity] or should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the disability beneficiary's present salary or wages shall be ascertained and he shall continue to receive a disability retirement allowance but the sum of the disability retirement allowance and the disability beneficiary's present salary or wages shall in no event exceed three hundred dollars ($300) per month

(a) Each three months it shall be the duty of any disability annuitant to furnish a written statement of all earnings from his business occupation or profession from whatever source derived and information showing whether or not he is able to engage in a gainful occupation and such other information as may be required by the retirement board On failure neglect or refusal to furnish such information for the period of the preceding three months the retirement board may refuse to make further disability retirement allowance payments to the disability annuitant until he has furnished such information to the satisfaction of the retirement board and should such refusal continue for six months all his rights in or to the disability retirement allowance constituted by this act shall be forfeited

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 190, as follows:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" by excepting emergencies and unusual conditions from the mandatory provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 178) is hereby further amended to read as follows

Section 2 The Department of Welfare shall enforce the provisions of this act and shall withhold the payment of all money or the unpaid balance thereof appropriated or allotted to any hospital failing to comply with the provisions of this act provided however that [for a period of two years] following the effective date of this amendment no funds appropriated or allotted to any hospital shall be withheld under this act if the secretary of welfare determines that the constant attendance of a licensed physician or resident interne cannot be secured by such hospital because of [the] an emergency or unusual conditions [created by the recent war]

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 228, as follows:

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred sixty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2564 Deductions from State appropriations If any school district wherein a pupil resides who is entitled by law to attend an elementary school or a high school in another district neglects or refuses to pay any [such] tuition charge or sewer charge or sewer rental the Superintendent of Public Instruction is authorized to deduct from any moneys due any such district out of any State appropriation the amount due from such district to the district where the pupil attends and pay over said sum to the district entitled thereto

Section 2 Article twenty-five of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 2565 Sewer charge or rental districts fourth class When any school district of the fourth class receiving pupils from other districts is required by the city borough or township within which its school building or buildings are located or any municipality authority operating therein to pay a service charge for sewer connection or a sewer rental measured by the number of pupils attending such school or schools such receiving district shall include in its bill for tuition charge to each sending district and the sending district shall pay the amount of such per pupil sewer service charge or sewer rental for each pupil sent by the sending district Such charge shall be in addition to the tuition charge provided for by section two thousand five hundred sixty-two of the act to which this is an amendment in cases where pupils are sent and the tuition charges paid by the parents or other persons to such receiving districts the parents or other persons shall pay such per pupil sewer charge or sewer rental

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 279, as follows:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within the bituminous regions and regulating mining and the removal of natural surface support in cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand two hundred one A is hereby added to the act approved the twenty-third day of June one thousand nine hundred thirty-two (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" to read as follows

Section 2201-A Ordinance creating each city within the limits of the bituminous region of the Commonwealth may by ordinance create a bureau of mine inspection and surface support

Section 2 Section two thousand two hundred four of said act is hereby amended to read as follows

Section 2204 Operators to Furnish Maps Contents The owner operator or superintendent of every coal mine or colliery within three months after the passage of an ordinance by any [borough] city creating such bureau shall make or cause to be made and furnished to such bureau an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch The map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall show in degrees the general inclination of the strata with any material deflection therein in the workings or excavations and shall also show the tidal elevations of the bottom of every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the bureau The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 3 Section two thousand two hundred six is hereby added to said act to read as follows

Section 2206-A Certain surface supports not to be removed It shall be unlawful for any person copartnership association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath any privately owned property or the public highways streets alleys courts and places of any city in the bituminous region to such an extent and in such a manner as to thereby remove the necessary support of the surface without bracing first placed or constructed an artificial permanent support sufficient to uphold and preserve the stability of the surface of such private property public highways streets alleys courts and places

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 287, as follows:

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescribing minimum penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" as amended by the act approved the thirty-first day of May one thousand nine hundred

forty-seven (P. L. 340) is hereby further amended to read as follows

Section 5 Any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not less than twenty-five dollars or more than fifty dollars and costs of prosecution and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not less than ten days or more than twenty days and for conviction in a summary proceeding for a second offense shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars or in default of such fine and costs of prosecution shall be sentenced to imprisonment for [not more than] forty days and any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act for a third or subsequent time shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred and fifty dollars nor more than five hundred dollars or to undergo imprisonment for sixty days or both at the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 288, as follows:

An Act to further amend subsections (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (3) and (4) of section three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 684) is hereby further amended to read as follows

Section 3

* * * * *

(3) The original weighmaster's certificate shall be typewritten or made out in ink or indelible pencil and the original and each copy thereof shall show

(a) The kind and size of the solid fuel

(b) The name and address of the seller of the solid fuel

(c) The name and address of the purchaser

(d) The license number of the vehicle and trailer

(e) The signature and license number of the licensed weighmaster by whom weighed and who issued the weighmaster's certificate

(f) The date and hour when weighed

(g) The gross weight in avoirdupois pounds or vehicle and local the tare weight and the net weight of the solid fuel and where the load is divided into lots the net weight of each such lot all of which must be determined by the same weighmaster in accordance with the rules and regulations of the department except where reweighing is required by ordinance within the limits of a city borough town or township of the first class in which delivery is made in which case the gross weight of the vehicle and load shall first be determined without dumping and after the delivery of the entire load of solid fuel the vehicle shall immediately return to the same scale for the determination of the tare weight

(4)The original copy of a weightmaster's certificate shall be delivered to the purchaser of the solid fuel specified in the certificate at the time of delivery One copy thereof shall be retained at the place of weighing and one copy shall be retained by the person delivering the solid fuel Copies of weighmaster's certificates in possession of licensed weighmasters and persons delivering solid fuel shall be retained for a period of two years and shall be subject to inspection or confiscation for use as evidence by any State county or city inspector of weights and measures during business hours

* * * * *

Section 2 Section seven of said act as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 173) is hereby further amended to read as follows

Section 7 It shall be unlawful for any weighmaster to issue a false or incorrect weighmaster's certificate or for any person to solicit him to do so or for any person to use or issue any weighmaster's certificate except one prepared on a form issued or approved by the department for any person to print or distribute any forms of weighmaster's certificates unless authorized so to do by the department or to use a false or incorrect weighmaster's certificate or a weighmaster's certificate not bearing the signature and license number of a licensed weighmaster and the license number of the vehicle and trailer or for any weighmaster knowingly to permit any weighmaster's certificate to be issued or used which purports to bear his signature and which was not in fact signed by him at the time of weighing or which expresses a gross tare or net weight not ascertained by him or for any person to deliver solid fuel without an official weighmaster's certificate or for any person to furnish a false name or address of a purchaser to the licensed weighmaster at the time of weighing or to permit any diminution of the load of solid fuel before its delivery to the purchaser or purchasers thereof or except as otherwise provided in this act to fail neglect or refuse to deliver a correct and lawful weighmaster's certificate to the purchaser of solid fuel whose name and address appears on said weighmaster's certificate or to otherwise directly or indirectly violate any of the provisions of this act

Whenever solid fuel is sold and delivered to the purchaser named in the approved weighmaster's certificate and whenever the seller or his representative neglects fails or refuses to deliver an approved weigh-

master's certificate at the time of delivery or the net weight of the solid fuel shall be determined to be less than the net amount stated on the approved weighmaster's certificate or as otherwise represented to the purchaser such determination shall constitute prima facie evidence of short weight and the seller shall be prosecuted under this provision for short weight

Whenever the gross weight of a vehicle and load the tare weight and the net weight of solid fuel has been determined in accordance with the provisions of this act and the net weight of the solid fuel shall be determined to be less than that stated in a weightmaster's certificate proof of such determination shall constitute prima facie evidence of the diminution of the load of solid fuel before delivery to the purchaser

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 289, as follows:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 631) is hereby further amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false or insufficient weight or measure or use any weighing or measuring device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county for the first offense be sentenced to pay a fine of not less than twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days for the second offense be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days for the third offense be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for thirty (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon a conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not less than six (6) months or both All such fines shall be paid to the treasurer of the respective city or county in which the offense was committed

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and a certificate of accuracy issued therefore as provided by this act It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vis:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 291, as follows:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The word "department" as used in this act shall mean the Department of Internal Affairs

The words "domestic consumers" as used in this act shall mean those in residences apartment houses stores churches office buildings and similar edifices as distinguished from industrial plants

The words "light fuel oils" as used in this act shall mean kerosene number one fuel oil number two fuel oil number three fuel oil and any similar oil used for domestic heating as distinguished from heavy industrial oils

The word "person" as used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm representative or employe thereof

Section 2 Meter Required No person shall deliver light fuel oil to any domestic consumer unless the vehicle by which such light fuel oils are delivered is equipped with a meter of a type approved under provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" All deliveries of light fuel oil to such consumers shall be made by the use of such a meter

Section 3 Small Deliveries Fuel oil deliveries of fifty gallons or less may be delivered without being metered Provided That such delivery be made in standard measures of not less than five gallons capacity And provided further That only such measures as approved by provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) be used

Section 4 Exceptions The provisions of this act shall not apply to deliveries of heavy fuel oils nor to deliveries of light fuel oils to industrial plants nor where the entire truck tank load of light fuel oil is delivered to a single domestic consumer provided such tank truck is of a type approved under provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389)

Section 5 Enforcement of Act Rules and Regulations It shall be the duty of the department and the inspectors of weights and measures of the several counties and cities to enforce the provisions of this act

The Secretary of Internal Affairs shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 6 Penalties Any person violating any of the provisions of this act shall upon summary conviction before a magistrate be sentenced for the first offense to pay a fine of not less than twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and for the third offense shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not more than sixty (60) days or both

Section 7 Effective Date The provisions of this act shall become effective the first day of September one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 402, on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as coporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further regulating the power and duties of credit unions their officers and employes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 410, as follows:

An Act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county of the Commonwealth the county superintendent of schools shall be provided at the expense of the county with telephone service typewriters stenographers equipment and materials used in the per-

formance of their duties either in conection with pupils or teachers and such office equipment facilities and suitable space as shall be determined by the county superintendent and approved by the county board of school directors

Section 2 The stenographer or stenographers shall be chosen by the superintendent and the compensation shali be fixed by the superintendent and county commissioners and shall be paid out of the county treasury

Section 3 The act approved the first day of June one thousand nine hundred fifteen (P. L. 706) entitled "An act requiring the county commissioners to provide at the expense of the county a telephone typewriter and stenographer for the use of the county superintendent of schools" and its amendment is hereby repealed absolutely

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 425, on third reading, entitled:

An Act to further amend sections two hundred two and two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to include the Unemployment Compensation Board of Review Unemployment Compensation Referees and the Pennsylvania Labor Relations Board in the Department of Labor and Industry and to delete the Industrial Board as an Advisory Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceded to the third reading and consideration of Senate Bill No. 430, as follows:

An Act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Types Permitted No policy of group life insurance shall be delivered in this State unless it conforms to one of the following descriptions and to the requirements as to each set forth in sections two three four and five of this act

(1) A policy issued to an employer or to the trustees of a fund established by an employer which employer or trustees shall be deemed the policy holder, to insure employes of the employer for the benefit of persons other than the employer

(2) A policy issued to a creditor who shall be deemed the policyholder to insure debtors of the creditor

(3) A policy issued to a labor union which shall be deemed the policyholder to insure members of such union for the benefit of persons other than the union or any of its officials representatives or agent

(4) A policy issued to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more employers and one or more labor unions which trustees shall be deemed the policyholder to insure employes of the employers or members of the unions for the benefit of persons other than the employers or the unions

(5) Life insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or Naval Militia of any state written under a policy issued to the commanding General of the National Guard or Commanding officer of the Naval Militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer provided however that when the benefits of the policy are offered to all eligible members of the unit of the National Guard or Naval Militia not less than seventy-five per centum of the members of such unit may be so insured

Section 2 Policies Issued to Employers or Trustees of Employers Funds A policy issued to an employer or to the trustees of a fund established by an employer to insure employes of the employer for the benefit of persons other than the employer shall be subject to the following requirements

(1) The employes eligble for insurance under the policy shall be all of the employes of the employer or all of any class or classes thereof determinded by conditions pertaining to their employment The policy may provide that the term "employes" shall include the employes of one or more subsidiary corporations and the employes individual proprietors and partners of one or more affiliated corporations proprietors or partnerships of the business of the employer and of such affiliated corporations proprietors or partnerships is under common control through stock ownership or contract The policy may provide that the term "employes" shall include the individual proprietor or partners if the employer is an individual proprietor or a partnership The policy may provide that the term "employes" shall include retired employes

(2) The premium for the policy shall be paid by the policyholder either wholly from the employer's funds or funds contributed by him or partly from such funds and

partly from funds contributed by the insured employes No policy may be issued on which the entire premium is to be derived from funds contributed by the insured employes A policy or which part of the premium is to be derived from funds contributed by the insured employes may be placed in force only if at least seventy-five per cent of the then eligible employes excluding any as to whom evidence of individual insurability is not satisfactory to the insurer elect to make the required contributions A policy on which no part of the premium is to be derived from funds contributed by the insured employes must insure all eligible employes or all except any as to whom evidence of individual insurability is not satisfactory to the insurer

(3) The policy must cover at least twenty-five employes at date of issue

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employes or by the employer or trustees No policy may be issued which provides term insurance on any employe which together with any other term insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in part by the employers or any of them exceeds twenty thousand dollars ($20,000)

Section 3 Policies Issued to Creditors A policy issued to a creditor to insure debtors of the creditor shall be subject to the following requirements

(1) The debtors eligible for insurance under the policy shall be all of the debtors of the creditor whose indebtedness is repayable in instalments or all of any class or classes thereof determined by conditions pertaining to the indebtedness or to the purchase giving rise to the indebtedness The policy may provide that the term "debtors" shall include the debtors of one or more subsidiary corporations and the debtors of one or more affiliated corporations proprietors or partnerships if the business of the policyholder and of such affiliated corporations proprietors or partnerships is under common control through stock ownership contract or otherwise.

(2) The premium for the policy shall be paid by the policyholder either from the creditor's funds or from charges collected from the insured debtors or from both A policy on which part or all of the premium is to be derived from the collection from the insured debtors of identifiable charges not required of uninsured debtors shall not include in the class or classes of debtors eligible for insurance debtors under obligations outstanding at its date of issue without evidence of individual insurability unless at least seventy-five per cent of the then eligible debtors elector to pay the required charges A policy on which no part of the premium is to be derived from the collection of such identifiable charges must insure all eligible debtors or all except any as to whom evidence of individual insurability is not satisfactory to the insurer

(3) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least one hundred persons yearly or may reasonably be expected to receive at least one hundred new entrants during the first policy year and only if the policy reserves to the insurer the right to require evidence of individual insurability if less than seventy-five per cent of the new entrants become insured

(4) The amount of insurance on the life of any debtor shall at no time exceed the amount owned by him which is repayable in instalments to the creditor or five thousand dollars ($5000) whichever is less

(5) The insurance shall be payable to the policyholder Such payment shall reduce or extinguish the unpaid indebtedness of the debtor to the extent of such payment

Section 4 Policies Issued to Labor Unions A policy issued to a labor union to insure members of such union for the benefit of persons other than the union or any of its officials representatives or agents shall be subject to the following requirements

(1) The members eligible for insurance under the policy shall be all of the members of the union or all of any class or classes therof determined by conditions pertaining to their employment or to membership in the union or both

(2) The premium for the policy shall be paid by the policy holder either wholly from the union's funds or partly from such funds and partly from funds contributed by the insured members specifically for their insurance No policy may be issued on which the entire premium is to be derived from funds contributed by the insured members specifically for their insurance A policy on which part of the premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least seventy-five per cent of the then eligible members excluding any as to whom evidence of individual insurability is not satisfactory to the insurer elect to make the required contributions A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members or all except any as to whom evidence of individual insurability is not satisfactory to the insurer

(3) The policy must cover at least twenty-five members at date of issue

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union No policy may be issued which provides term insurance on any union member which together with any other term insurance under any group life insurance policities issued to the union exceeds twenty thousand dollars ($20,000)

Section 5 Policies Issued to Trustees of Joint Funds A policy issued to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more employers and one or more labor unions to insure employes of the employers or members of the unions for the benefit of persons other than the employers or the unions shall be subject to the following requirements

(1) The persons eligible for insurance shall be all of the employes of the employers or all of the members of the unions or all of any class or classes thereof determined by conditions pertaining to their employment or to membership in the unions or to both The policy may provide that the term "employes" shall include retired employes and the individual proprietor or partners if an employer is an individual proprietor or a partnership The policy may provide that the term "employes" shall include the trustees or their employes or both if their duties are principally connected with such trusteeship

(2) The premium for the policy shall be paid by the trustees wholly from funds contributed by the employer or employers of the insured persons or by the union or unions or by both No policy may be issued on which any part of the premium is to be derived from funds contribued by the insured persons specifically for their insurance The policy must insure all eligible persons or all except any as to whom evidence of individual insurability is not satisfactory to the insurer

(3) The policy must cover at date of issue at least one hundred persons and not less than an average of five persons per employer unit and if the fund is established by the members of an association of employers the policy may be issued only if (i) either (a) the participating employers constitute at date of issue at least sixty per cent of those employer members whose employes are not already covered for group life insurance or (b) the total number of persons covered at date of issue exceeds six hundred and (ii) the policy shall not require that if a participating employer discontinues membership in the association the insurance of his employes shall cease solely by reason of such discontinuance

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder employers or unions No policy may be issued which provides term insurance on any person which together with any other terms insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in

part by the employers or any of them exceeds twenty thousand dollars ($20,000)

Section 6 Standard Policy Provisions No policy of group life insurance shall be delivered in this State unless it contains in substance the following provision or provisions which in the opinion of the Insurance Commissioner are more favorable to the persons insured or at least as favorable to the persons insured and more favorable to the policyholder Provided however That (i) provisions (6) to (10) inclusive shall not apply to policies issued to a creditor to insure debtors of such creditor (ii) the standard provisions required for individual life insurance policies shall not apply to group lime insurance policies and (iii) if the group life insurance policy is on a plan of insurance other than the term plan it shall contain a nonforfeiture provision or provisions which in the opinion of the Commisioner is or are equitable to the insured persons and to the policyholder but nothing herein shall be construed to require that group life insurance policies contain the same non-forfeiture provisions as are required for individual life insurance policies

(1) A provision that the policyholder is entitled to a grace period of thirty-one days for the payment of any premium due except first during which grace period the death benefit coverage shall continue in force unless the policyholder shall have given the insurer written notice of discontinuance in advance of the date of discontinuance and in accordance with the terms of the policy The policy may provide that the policyholder shall be liable to the insurer for the payment of a pro rata premium for the time the policy was in force during such grace period

(2) A provision that the validity of the policy shall not be contested except for nonpayment of premiums after it has been in force for two years from its date of issue and that no statement made by any person insured under the policy relating to his insurability shall be used in contesting the validity of the insurance with respect to which such statement was made after such insurance has been in force prior to the contest for a period of two years during such person's lifetime nor unles it is contained in a written instrument signed by him

(3) A provision that a copy of the application if any of the policyholder shall be attached to the policy when issued that all statements made by the policyholder or by the persons insured shall be deemed representations and not warranties and that no statement made by any person insured shall be used in any contest unless a copy of the instrument containing the statement is or has been furnished to such person or to his beneficiary

(4) A provision setting forth the conditions if any under which the insurer reserves the right to require a person eligible for insurance to furnish evidence of individual insurability satisfactory to the insurer as a condition to part or all of his coverage

(5) A provision specifying an equitable adjustment of premiums or of benefits or of both to be made in the event the age of a person insured has been misstated such provision to contain a clear statement of the method of adjustment to be used

(6) A provision that any sum becoming due by reason of the death of the person insured shall be payable to the beneficiary designated by the person insured subject to the provisions of the policy in the event there is no designated beneficiary as to all or any part of such sum living at the death of the person insured and subject to any right reserved by the insurer in the policy and set forth in the certifiate to pay at its option a part of such sum not exceeding two hundred fifty dollars to any person appearing to the insurer to be equitably entitled thereto by reason of having incurred funeral or other expenses incident to the last illness or death of the person insured

(7) A provision that the insurer will issue to the policyholder for delivery to each person insured an individual certificate setting forth a statement as to the insurance protection to which he is entitled to whom the insurance benefis are payable and the rights and conditions set forth in (8) (9) and (10) following

(8) A provision that if the insurance or any portion of it on a person covered under the policy ceases because of termination of employment or of membership in the class or classes eligible for coverage under the policy such person shall be entitled to have issued to him by the insurer without evidence of insurability an individual policy of life insurance without disability or other supplementary benefits provided application for the individual policy shall be made and the first premium paid to the insurer within thirty-one days after such termination and provided further that

(i) The individual policy shall at the option of such person be on any one of the forms except term insurance then customarily isued by the insurer at the age and for the amount applied for

(ii) the individual policy shall be an amount not in excess of the amount of life insurance which ceases because of such termination provided that any amount of insurance which shall have matured on or before the date of such termination as an endowment payable to the person insured whether in one sum or in instalments or in the form of an annuity shall not for the purposes of this provision be included in the amount which is considered to cease because of such termination and

(iii) the premium on the individual policy shall be at the insurer's then customary rate applicable to the form and amount of the individual policy to the class or risk to which such person then belongs and to his age attained on the effective date of the individual policy

(9) A provisions that if the group policy terminates or is amended so as to terminate the insurance of any class of insured persons every person insured thereunder at the date of such termination whose insurance terminates and who has been so insured for at least five years prior to such termination date shall be entitled to have issued to him by the insurer an individual policy of life insurance subject to the same conditions and limitations as are provided by (8) above except that the group policy may provide that the amount of such individual policy shall not exceed the smaller of (i) the amount of the person's life insurance protection ceasing because of the termination or amendment of the group policy less the amount of any life insurance for which he is or becomes eligible under any group policy issued or reinstated by the same or another insurer within thirty-one days after such termination and (ii) two thousand dollars ($2000)

(10) A provision that if a person insured under the group policy dies during the period within which he would have been entitled to have an individual policy issued to him in accordance with (8) or (9) above and before such an individual policy shall have become effective the amount of life insurance which he would have been entitled to have issued to him under such individual policy shall be payable as a claim under the group policy whether or not application for the individual policy or the payment of the first premium therefor has been made

Section 7 Notice of Conversion Privileges If any individual insured under a group life insurance policy hereafter delivered in this State becomes entitled under the terms of such policy to have an individual policy of life insurance issued to him without evidence of insurability subject to making of application and payment of the first premium within the period specified in such policy and if such individual is not given notice of the existence of such right at least fifteen days prior to the expiration date of such period then in such event the individual shall have an additional period with which to exercise such right but nothing herein contained shall be construed to continue any insurance beyond the period provided in such policy This additional period shall expire fifteen days next after the individual is given such notice but in no event shall such additional period extend beyond sixty days next after the expiration date of the period provided in such policy Written notice presented to the individual or mailed by the policyholder to the last known address of the individual or mailed by the insurer to the last known address of the individual as furnished by the policyholder shall constitute notice for purpose of this action

Section 8 Existing Policies The provisions of this act shall not invalidate or otherwise affect any policy or contract of group life insurance in effect on the effective date of this act All such policies may remain in full force and effect notwithstanding the fact they do not comply with the provisions of this act

Section 9 Premium Basis No domestic life insurance company shall issue any policy of group life insurance the premium for which shall be less than the next premium based on the American men ultimate table of mortality with interest at three and one-half per centum per annum plus a loading the formula for the computation of which shall be determined by the insurance commissioner a foreign life insurance company which shall not conduct its business in accordance with this requirement shall not be permitted to do business in this Commonwealth any such policy may however anything in this act to the contrary notwithstanding provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance which readjustment may be made retroactive for such policy year only

Section 10 Repeal and Saving Clause Sections four hundred fifteen and four hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" and their amendments are hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

This act shall not repeal the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division therof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" nor its amendments nor any partial reenactment thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	McPherson, Jr.,	Tarr,
Barrett,	Geltz,	Meade,	Taylor,
Berger,	Haluska,	Neff,	Toole,
Blass,	Hare,	Pechan,	Wade,
Chapman,	Holland,	Peelor,	Wagner,
Crowe,	Homsher,	Robinson,	Walker,
Dent,	Lane,	Rosenfeld,	Watkins,
Diehm,	Leader,	Ruth,	Watson,
DiSilvestro,	Letzler,	Scarlett,	Wolfe,
Doehla,	Lord,	Snowden,	Wood, L. H.,
Donlan,	Mahany,	Stevenson,	Yosko,
Farrell,	Mallery,	Stiefel,	

NAYS—3.

Kephart,	Tallman,	Wood, T. N.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 490, as follows:

An Act to provided for the prompt peaceful and just settlement of labor disputes between employers engaged in public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission and their employes which threaten to cause an interruption of such transportation facilities prescribing procedure for the adjustment and settlement of such disputes by collective bargaining and the intervention of a conciliator prohibiting for a certain period of time but preserving the right to strike stop work or lockout and conferring jurisdiction upon the courts of common pleas to enforce compliance with the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Transportation Conciliation Act" and shall apply only in the case of public utility transportation business subject to the jurisdiction of the Commonwealth and the public Utility Commission

Section 2 It is hereby declared to be the public policy of the Commonwealth of Pennsylvania that it is necessary and essential in the public interest to facilitate the prompt peaceful and just settlement of labor disputes between employers engaged in the public utility transportation business and their employes which cause or threaten to cause an interruption of such transportation facilities to the detriment of the health safety and welfare of the citizens of the Commonwealth and to that end to encourage the making and maintaining of agreements concerning wages hours and other conditions of employment through collective bargaining between such employers and their employes and to provide settlement procedure for labor disputes between such employers and their employes in cases where the collective bargaining process has reached an impasse and as a result thereof the parties are unable to effect such settlement and which labor disputes are likely to cause interruption of the supply of a public utility service on which the community so affected is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service

Section 3 It shall be the duty of employers engaged in the public utility transportation business and their employes to exert every reasonable effort to settle all labor disputes by engaging in collective bargaining in good faith by entering into agreement and maintaining the same and to voluntarily arbitrate their differences

Section 4 If in any case of a labor dispute between an employer engaged in the public utility transportation business and their employes the collective bargaining process reaches an impasse with the result that the employer and employes are unable to effect a settlement and if the parties have not reached agreement for voluntary arbitration or jointly sought conciliation assistance then either party to the dispute or the Pennsylvania Labor Relations Board may request the Governor in writing to appoint a conciliator Upon the filing of any such request the Governor shall consider the same and if in his opinion the collective bargaining process has failed and such dispute if not settled is likely to cause the interruption of the transportation service on which a community is dependent and that severe hardship would be inflicted on a substantial number of persons by a cessation of such service the Governor shall appoint a conciliator from among the conciliators employed by the Department of Labor and Industry to attempt to effect a settlement of such labor dispute

Section 5 The conciliator so named shall expeditiously meet with the disputing parties or their representatives and shall exert every reasonable effort to effect a prompt settlement of the labor dispute After the appointment of a conciliator by the Governor there shall be no interruption of work and no strikes or slowdowns by employes and there shall be no lockout or other work stoppage by the employer until such time as all of the procedure provided for in this act has been exhausted unless the Governor shall sooner determine that failure to settle the dispute would not cause severe hardship to be inflicted on a substantial number of persons

Section 6 If no agreement or settlement of the labor dispute is reached at the expiration of sixty (60) days after the conciliator has intervened the concilator shall within such time secure from and it shall be the duty of each of the parties to furnish to him a written statement of the best offer of each party for the settlement of the labor dispute The conciliator shall thereupon make a report to the Governor who shall require the Pennsylvania Labor Relations Board within the succeeding fifteen (15) days unless the dispute has been settled by that time to conduct an election among all of the employes in the bargaining unit involved in the labor dispute on the question "Shall the employer's offer be accepted" Such election shall be by secret ballot If a majority of those voting on the question shall vote in favor of accepting the offer then such offer shall become effective and if the the same involves a dispute relating to wages hours or other conditions of employment that should be adjusted by collective bargaining The effective period shall date from the date of the appointment of the mediator by the Governor and shall continue effective for one year from the date A full statement of the last offer as made by each party shall be furnished simultaneously to each eligible voter at such election and to the employer or his representatives The Pennsylvania Labor Relations Board shall certify the results thereof to the Governor within five days thereafter and the Governor shall take such further action in an attempt to settle the dispute as he shall deem proper or appropriate under the authority and power that he now possesses

Section 7 If no agreement or settlement of the labor dispute is effected by the conciliator during the sixty (60) day period herein provided for and no agreement or settlement is reached by the parties during the period reserved for the election on the question of whether the employer's last offer shall be accepted by the employes and the certification of the result thereof to the Governor the parties to the labor dispute may voluntarily agree to continue or resume collective bargaining as the case may be or may thereupon exercise their rights to engage in strike work stoppage or lockout

Section 8 Any person adversely affected by reason of a violation of the provisions of this act may file an action in the court of common pleas of the county in which such violation occurs to restrain and enjoin such violation and to compel the performance of duties imposed by this act Jurisdiction is hereby conferred on the courts of common pleas to hear and determine such actions

Section 9 Nothing in this act shall be construed to require an individual employe to render labor or service without his consent or to make unlawful the quitting of his labor or service or the withdrawal from his place of employment unless done in concert or in agreement with others and in violation of the provisions of this act No court shall have power to issue any process to compel an individual employe to render labor or service or to remain at his place of employment without his consent It is the intent of this act only to forbid employes to leave their employment in concert or to cause a work slowdown or stoppage in concert in violation of the provisions of this act and to forbid an employer to lockout his employes in violation of the provisions of this act

Section 10 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 11 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

MR. KEPHART. Mr. President, we, here, are the elected representatives of the people, and it is our duty to protect the public in connection with labor controversies in which the public has such a vital stake as it has in public transportation. Labor is not downtrodden, not any more, capital and management are neither helpless nor inarticulate. The public, however—all of us, employed, employers, consumers, and workers, whether they belong to other unions or not—are the ones in need of help. The public pays the bills and it is the people about whom we, here, should be concerned.

Right now is the time to think about their interest in such a labor controversy.

We have just been through a devastating transit strike in Philadelphia and one is in existence at this moment in Scranton, the third largest city in Pennsylvania.

It will be too late to think about the public interest in such a matter, if we do nothing now and wait till next February for Mr. Quill's return, as he threatened. It may not be too late to help the Scranton situation, if we act now. While this bill may not be perfect, it probably would have prevented the Philadelphia strike and no doubt would solve the Scranton one.

It is time that both labor and management recognize that the public will not stand a long fought out transportation strike. The people of our large cities depend on the public transportation system to earn their daily bread, and they will not starve quietly or suffer serious hardship or inconvenience because employers and employees cannot agree an wages, hours, or whatever they wrangle about. Make the public mad and it will act violently and not necessarily reasonably.

Remember what happened when the railroad strike was called? The people were inconvenienced for a day. Then they began to get angry and scared. President Truman asked Congress for authority to draft the strikers into the armed forces.

We are not here asking for any such drastic action. In fact, in this bill we are not even asking for compulsory arbitration, a feature of the first bill. We are merely asking for a cooling-off period, conciliation and a vote on the employer's best offer.

It would be wise for both labor and management to accept such a bill in good grace, rather than have no law and the fear of great public reprisal in case of a long strike and great public hardship. It is time now to think of the public interest and pass this bill.

MR. DENT. Mr. President, this bill appears on the Calendar after a few months when we had a similar bill, one that was supposed to do the same thing that this bill purports to do, and it was decided by the Senate that this bill was not good legislation, it was defeated and sent back to Committee.

Mr. President, we find ourselves now with the same type of legislation before us. I wonder how many Senators know that the features of this Bill have been lifted bodily from the Taft-Hartley Act of the Federal Government. I believe the people in no uncertain terms regis-

tered their disapproval of restrictive legislation when it is designed to punish a certain group. This bill even goes further than the original bill that was defeated by the Senate; that bill was supposed to be restricted to the city of Philadelphia; this bill now covers the entire state of Pennsylvania.

Mr. President, for the information of the Senate, I happen to own a transportation company, and I suppose this bill is supposed to help me keep my men in employment, keep them working whether or not they have a grievance against me, whether or not they have the right to use the American weapon in a labor dispute. The Supreme Court has, time after time, the American people have, time after time, stood upon the position that the working man, regardless of his employment, has the right to strike if he is not satisfied with the conditions of his employment, and after a certain period of negotations, if he cannot come to a satisfactory agreement with his employer, he has the American right to strike. Now, Mr. President, let us look into this bill, let us see what it does. In the first place it says that a severe hardship is created by a transportation strike. I cannot imagine anything further from the truth. Yes, Mr. President, inconvenience takes place, but that can be said of every labor dispute that has ever taken place. I believe when you shut down the coal mines of the nation you create a greater hardship than when you shut a transportation system down. Why doesn't the gentleman from Philadelphia include all forms of endeavor in this bill. If he says the people need protection, why doesn't he amend this bill to include each and every endeavor in the Commonwealth. There isn't a strike that he can name that does not cause a certain amount of hardship, a great deal of inconvenience, both to the participants, and, in many instances, to the general public.

Mr. President, I do not believe that any person here is fooled by any of the explanations or any part of the explanations given by the sponsor. In the first place, every negotiations that I know of has a thirty to ninety day negotiating period before any vote is taken as to whether or not a strike is to take place. Under this Act, however, after the ninety days have gone by, you can go to eighty more days under the terms of the Act, and then, fifteen more days, and then start all over again, and go to eighty more days. Why, certainly, the gentleman is right when he said this would have stopped the Philadelphia strike. Mr. President and Members of the Senate, let us put the apple out where we can see it and cut it. This bill if enacted will stop any strike, and that is what it is intended to do. It is a strike breaking weapon and the Legislature has no business to interfere with the relationships between employees and employers; the Legislature should not inject itself into negotiations between employes and employers. The Federal Government tried it under the Taft-Hartley Act, and although that infamous act is still upon the statute books, Mr. President, it is well known to both employers and employes all over the United States of America that the Act is not workable, that it will not and has not acted for a labor peace; it has not acted in the manner that the sponsors intended it to act; it is not performing in the order that they said it would perform, and I say to the Members of the Senate upon this occasion, that you are again passing legislation, restrictive by nature and punitive in operation, because, Mr. President, the very peculiar thing in it is this I think even a novice in politics can understand this particular phase of it. It says in the bill, Mr. President, that after a final offer has been made by the employer, then the employes have to vote on the final offer made by the employer. I think that Senator Taft would object to that particular feature of the bill. What can an organization do when it is faced with such a situation as that? I say to the sponsor, why do we not do this, why do we not take the final offer of the employes and submit it to the Board of Directors of the employer, and say, "take it or leave it." That is what you say here. Is it any more fair to legislate on pehalf of one side of a labor dispute as against the other side of a labor dispute?

Mr. President, I do not think that any of us need any particular instructions on labor and management discussion today. Every man in this Senate is going through a period of education, a period of education in labor relationships. Sure there are still some tough spots and some rough spots on the question of labor relations, but how many men in this room will not admit that we are much closer to the goal of complete harmony in the field of labor relationships, and I think that at this date stage when we inject ourselves legislatively into the picture of labor disputes in Pennsylvania, we are going far afield. There is no reason to take this action at this time.

Oh, Mr. President, the gentleman talks about a gentle man by the name of Quill who has promised to come back. Why, Mr. President, that seems to be an American habit of throwing our chests out if we have been defeated at something and saying, "I will come back." Why, everybody knows that MacArthur said the same thing when he was chased out of the Phillipines, and Senator Donlan, Senator Wood and myself pride ourselves in the fact that with the help of the Marines he did come back. I think, Mr. President, that Quill may come back any time. He is still and American citizen, and we have not yet discovered any thing in him to make him a culprit of any kind, that he is not permitted in the City of Brotherly Love. You know, Mr. President, the old days of riding labor union leaders out of town on a rail and tar and feathering them is gone, I hope. I do not think the Philadelphia leadership intends to revive those black days of American labor history; I don't think you are going to say, in effect, with this bill, to Mr. Quill or any other labor leader who may cause a strike or whose union may decide to pull a strike in the city of Philadelphia, "You had not better return or we will pass an act in Harrisburg to keep you out of Philadelphia." Why, Mr. President, it is almost childish to come to this Senate at this time with this piece of legislation. I really think that there is more steam behind it than there is power, because I do not think any man in this Senate needs to be told that labor relations have come to the point where men of honor are sitting around the table on both sides, and in the main, I would say in ninety-nine cases out of a hundred today, you find that the negotiators usually agree, and when they do not agree they have machinery set up whereby the disagreement can be resolved. In all of the contracts that the American Federation of Labor and the C.I.O. and the Railroad Brotherhood negotiate today, and for many years in the past, they have been working toward the end where every contract contains within it an arbitration clause, and this legislation will not do anything in

ninety-nine times out of a hundred, unless the Governor of the Commonwealth wants to be punitive, unless he wants to do things that are contrary to what we think is good government, constitutional government. This bill will not affect any labor dispute, it is oniy when some man wants to take advanage of the power the Legislature has given him that it will be effective.

Mr. President, I would say that ninety-nine percent of all the transportation contracts in the Commonwealth of Pennsylvania have an arbitration clause. The gentleman from Philadelphia himself admits that this is only a delaying action, that in the ultimate end, if the union can survive that long, there can be a strike. Now, Mr. President, what is a strike called for? A strike is called to emphasize a point in a labor dispute, a point that either the union or the management is standing upon. If you take this Act and apply it against an ordinary dispute, you will find that in the amount of time that elapses between the moment the grievance is taken up until the answer has been resolved, they lose sight of the original grievance. Now, that may be all right, but what you are doing here is denying to the men employed in this industry the basic right granted and given to each and every man who works for a living in America under the Constitution. You have no right to take from this group, because they are employed by a transportation company in this Commonwealth, that if they were to stop tomorrow, it would cause severe hardship in the sense that it is intended. We were told when the utility "no strike" bill was on the floor that it was essential to the health and welfare of the people, that sickness and death would follow because of the elimination of the utilities services. And now, we are stretching a point and saying that this is also necessary to life and the pursuit of happiness. Certainly if somebody wants to say that because they had to wait twenty minutes extra or be tied up in a traffic jam that that is an inconvenience, well, Mr. President. I have come out of the city of Pittsburgh on many occasions when there was no strike of any kind, and it took me over two hours to get out of the city limits. What are we going to outlaw there? I think that is as great a hardship as the people of Philadelphia went through. Now, Mr. President, can you tell me what law we could pass to break that jam, because I do not like to be held up, I am a normal American and I swear at everybody who is holding me up when I am going some place in an automobile, which is built to go ninety miles an hour, and I want to go that fast; I don't like to be held up by a slow driver. That is an inconvenience to me, Mr. Kephart, and you ought to put a bill in, and say, it is a severe hardship to Senator Dent and we ought to just take an atomic bomb and dissolve all these traffic hold-ups and let him ride through nice and easy like the people of Philadelphia want to do. What is the difference between suffering in Philadelphia and suffering in the homes of the men and women who are on strike for decent living conditions. Every strike I know of has been condemned, and yet if it were not for that valiant group of men back in my father's days that carried the torch of the early organization of labor, the respect that we now give to the men who work for us would not be given to them; the high position that labor in this country has reached would never have been reached if it wouldn't have been for a small group of pioneers who carried the torch of labor, knowing full well that their families would suffer, knowing full well that on many occasions they had to sneak out like thieves in the night to get out of town because there were hoodlums out to kill them.

Mr. President, I was born in a coal mining town in this great state of ours, and I can remember when my father was not permitted to come to our home for six weeks, because the coal mining vigilantes were after him. He was not fighting for anything except to put bread upon the table for his children, and the rewards of his fight are just now coming to the labor ranks, and although today I pride myself that I no longer have to dig with a pick and shovel I still cannot climb so far up this ladder that I cannot look down and see the fellow that is still down below trying to get up on it.

Mr. President, I think this kind of legislation is prohibitive within this Commonwealth of ours; it is not fair, it is unjust, it is punitive in nature, and it is not justified at this moment and in this day and age in the Commonwealth of Pennsylvania.

Mr. KEPHART. Mr. President, one thing is certain and that is that Senator Dent's factiousness about this bill certainly will not get any working people in Philadelphia to work if there is any transit strike down there. Another thing, Mr. President. it would be quite helpful to the Senate if the gentleman from Westmoreland would read the bill and explain it as it is written and not the way he has made it up.

The greatest length of time that there could be a delay, that a strike could be put off, is a total of eighty days, where he has it at about one hundred and fifty days. He is thinking about some bill that was in here at the last Session. It would be helpful if he would read this bill, and he would know then that it was not taken from the Taft-Hartley Bill, but was taken directly from the Arbitration Act for electric utilities and so forth that was passed at the last Session, word for word, and the reason that was done was because at a radio and television forum that I was on with Mr. McDevitt, Mr. McDevitt said publicly that if we would take the compulsory arbitration features out of the bill, he would have no objection to it, and that is exactly what I did in this bill.

The gentleman from Westmoreland, Senator Dent, said there was no right to strike, but he will find, at the end of these eighty days, if the management's best offer is not saitsfactory to the majority of labor, they can then go on their strike, and it certainly would not hurt them very much to wait that length of time and save the public from inconvenience in the hope that the strike might be averted. If they vote in favor of the offer, the provisions and term of that vote will go back to the date when the mediator had been appointed by the Governor, so they are not suffering any hardship, they are getting a date-back on the provisions that they have voted in favor of.

Now, Mr. President, the gentleman from Westmoreland, Senator Dent, said that the Legislature had no right to interfere with management and labor, but he overlooks the public's right in a thing like this, where public transportation is involved. This, Mr. President, is not just an ordinary labor situation where the dispute between

management and labor does not affect the public very much. This involves the transportation of over two million people in a large city; those people have the right to work, they have the right to go to work; that is one of their primary rights and they must be considered; they must have the right to go to work over this transportation system that we have down there, and every effort must be put into effect to see that there is no strike and that their right to go to work is not interfered with. These millions of people in our vicinity and in other vicinities of Pennsylvania where they are directly and primarily involved do have rights and it is our duty to protect those rights.

Mr. DiSILVESTRO. Mr. President, just for the information of my good friend from Philadelphia, Senator Kephart, I do not think I ever enjoyed a discussion as much as the one that Mr. McDevitt and Senator Kephart participated in. In fact, I was devouring a delicious plate of spaghetti at the time they were discussing the merits of the bill, but I fail to recall in any part of their discussion where Mr. McDevitt created the impression with me that if the compulsory features were removed, the bill would be all right.

Mr. President. I just want to correct the statement that Senator Kephart made.

Mr. DENT. Mr. President, I want to assure the gentleman from Philadelphia that I did read the bill very carefully. I also want to tell the Senator that this bill goes quite far afield, and in its final analysis, it becomes a court injunction bill. Those of us who have pretty good memories are well aware of what happens in a labor dispute when a court is given jurisdiction. However, that will not solve the problem.

The gentleman from Philadelphia talks about the rights of people. In a democracy such as ours, all the rights the people derive come from the Constitution itself, and nowhere in the Constitution does it say that the people of Philadelphia have the right to ride to work. No inherent right is given to the people of Philadelphia that they can ride to work. I am for their riding to work, in fact I would have to shut my line down if they did not ride to work—my biggest complaint is that enough of the people do not ride—but, Mr. President, that is not an inherent right, that is a right that stems from the fact that the men who drive those trolley cars and busses have the right under the Constitution to be employed in free labor, and along with the right to be employed in free labor, is also the right to strike if necessary to better their conditions, and the fact that they did better their conditions, and the fact that if they would not have struck they would not have bettered their conditions, is proof enough, Mr. President, that that strike was justified

Remember that we have different methods of getting justice in America. Labor, prior to the growth of labor organizations, had that right, Mr. President, under the Constitution, but had no means by which to employ that right, and just as soon as they developel the machinery by which they could employ the right given them under the Constiution, we come along like a great big bold group of pioneers in a new field and say we are going to take that right away from you by subterfuge.

I say, Mr. President, that you are taking a right away from these men and women which is an inherent right under the Constitution, but do not confuse that right, because the right of the people to ride is more lamented about by those who may lose a few days in their stores or the businesses as they are accustomed to, we know that. I think that all of us know that the main complaint comes from Main Street and not from the suburbs, and Mr. President, I will say again, that the gentleman who introduced this bill has no knowledge of his own of what it means to work under conditions not conducive to the welfare of your family.

Mr. NEFF. Mr. President, of course, I would like to concur whole-heartedly in the remarks made by the distinguished Senator from Westmoreland and I would like, secondly, to interrogate the Chairman of the Committee on Labor and Industry, if he will be interrogated.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. NEFF. Senator Berger, did any representatives of labor, particularly Harry Boyer of the C. I. O., ask for a public hearing on this bill?

Mr. BERGER. Mr. President, yesterday afternoon, Mr Harry Boyer called me out into the front of the Senate, in the foyer, and at that time, after the bill was on the Calendar, requested a hearing; that is correct.

Mr. NEFF. Was that the first notice you had of his wishes to have a hearing concerning this measurs?

Mr. BERGER. To the best of my recollection, Mr. President, that is the only request I have had for a hearing on this bill.

Mr. NEFF. Mr. President, it is my understanding that the C. I. O., representing some 600,000 workers in Pennsylvania, had notified the Chairman of the various Committees in the Senate that on bills pertaining to labor, they would like to have an opportunity to speak on them, this notification being given the first week of this Session.

The gentleman from Philadelphia, Senator Kephart. has stated that this action of the transportation union in Philadelphia affected some 2,000,000 people in Philadelphia. I would like to say, that if this bill is passed, it will adversely affect the economic welfare of a great many workers to a much greater degree than what the workers and the people of Philadelphia would be affected.

For instance, Mr. President, I am thinking of a little group of workers in the city of Elwood, twenty-two workers, and I would like to briefly impose upon you in order to give you the case history of a transportation strike. A year ago this month, we had a seven week strike on a transportation line servicing Elwood City and vicinity of twenty-two workers seeking recognition and an increase in wages. They were being paid a starting rate of seventy cents an hour in an area where the going rate was $1.20 in industry. Fifty percent of the drivers were veterans, and sixty percent of the veterans were men who had been injured in the war and could not work in other types of industry or do menial labor of any kind, but they could drive busses and do a good job. After seven weeks, the strike was terminated on the basis that the question of wages would be arbitrated. The company and the union jointly agreed upon arbitration, and jointly chose an arbitrator, but when they sat down to arbitrate, the company sought an injunction. A judge granted a temporary injunction, came into the hearing, and enjoined not only the union but the American Arbitration Association from proceeding in arbitra-

tion on the basis that to do so would do irreparable harm, and cause confusion, prejudging an arbitrator's decision after having jointly chosen that arbitrator and the Association that was arbitrating the case.

Mr. President, that injunction stood for nine weeks, and then following November 2nd, the judge decided to vacate the injunction, and again we sat in arbitration. On January 4 of this year, almost a year from the time the negotiations were enjoined, the arbitrator awarded twenty-five cents an hour, retroactive to February 18, 1948. To this date, the company has not honored the arbitrator's decision, will not pay the award, and defies the members of that union to strike.

Now, Mr. President, here is a union of twenty-two men who have been subsidized by other union workers in that city, who are going to have to have the right to strike to bring this company to terms, as dictated by arbitration. If this bill is passed, they will be held off from striking or taking any action for at least seventy-five days, and perhaps more.

Mr. President, another phase I would like to touch upon is the fact that we provide in this so-called labor relations act, a provision that the employes shall vote on whether or not they should accept the last best offer of the employer. Now, somewhere in the years past, the Legislature of Pennsylvania by law established a Labor Relations Board of this state, providing that employes may band together for the right of collective bargaining, by secret ballot, conducted by the Labor Relations Board of this state, or vote upon their collective bargaining representative, and if they are in the majority, and wish that union to represent them, that union shall be certified as the sole collective bargaining agent for all the employes.

Now, Mr. President, in the case of a dispute with the employer on conditions of work, which may mean that ten men are fired, or a hundred men are fired, or five men are fired, or that the men are protesting unsafe conditions, arbitrary rulings by supervisors, or it may be that they are protesting wages, you take the right away from the union and the elected officers of this bargaining agency to bargain for these men. You are saying, yes, you are the collective bargaining agent, and as such you have elected officers to negotiate for you, but when it comes to a question where the company decides not to go along with you, it will be resolved by each individual voting on that question.

So, Mr. President, what are we doing? We set up a provision to provide for collective bargaining through elected representatives of the people, and then in the case of transport workers in this Act, we take that right away from them and put it back on an individual basis once again.

Now, Mr. President, one other point. In Section eight, page six, we say, at line fifteen, "Any person adversely affected by reason of a violation of the provisions of this Act may file an action in the Court of Common Pleas of the County in which such violation occurred to restrain and enjoin such violation, and to compel the performance of duties imposed by this Act."

Now, Mr. President, I wonder how much harmony in labor we are going to promote by permitting any "crackpot" in the city of Philadelphia or any labor abettor in any other city so effected to go to court and seek an enjoining order against the actions of the employes in that particular instance. I think we are doing nothing but confusing and disturbing labor relations in this state.

Mr. President, I think lastly that the Chamber of Commerce of Philadelphia certainly deserves an "A" for effort, and Senator Kephart also, for they have tried unceasingly during this Session of the Legislature to hamstring and destroy the rights of the workers in the transport industry, not only in the city of Philadelphia, but in the state of Pennsylvania. I think they are doing their level best to prepare for the day when the Taft-Hartley Act is repealed in Washington, that they might have a "Little Taft-Hartley Act," or what portion of it they can salvage, in the state of Pennsylvania, to do the same kind of a job on the workers of Pennsylvania in the future as has been done in the past two years by National legislation.

Mr. ROSENFELD. Mr. President, will the sponsor of this bill permit himself to be interrogated?

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. Yes, Mr. President.

Mr. ROSENFELD. Mr. President, I would like to know whether it was the intention of the sponsor of this bill to include those in the trucking business under the provisions of this bill?

Mr. KEPHART. No, Mr. President, it was not. This was for passenger transportation.

Mr. ROSENFELD. Mr. President, I would like to point out that there is nothing in this Act which limits it to passenger transportation. The Act reads: "To provide for the prompt, peaceful and just settlement of labor disputes between employers engaged in public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission."

Now, Mr. President, with that question, that includes property transportation as well as passenger transportation. I would like to point out to the Members of this Senate that the provisions of this bill would, therefore, cover all kinds of transportation, subject to the jurisdiction of the Commonwealth and the Public Utility Commission, and I think the gentlemen of this body should consider seriously that by the provisions of this bill they are affecting not only passenger transportation companies, but trucking companies.

Mr. HOLLAND. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. HOLLAND. Mr. President, first of all I would like to ask Senator Kephart the difference between conciliator and mediator? What is the difference between the two?

Mr. KEPHART. Well, Mr. President, I am not an expert on labor relations. I am putting this bill in for the purpose of trying to help the public, and prevent a strike. I do not intend to engage in an argument with the gentleman from Allegheny, Senator Holland, as to the difference between conciliator and mediator, which I do not think makes any difference.

Mr. HOLLAND. Mr. President, throughout the bill the word "conciliator" is mentioned, and then we come to a point on page five, where the word "mediator" is used.

Now, Mr. President, I would like to further interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. Yes, Mr. President.

Mr. HOLLAND. Mr. President, when the employes vote on the last offer of the employer, I think it is section seven, what is going to become of the other grievances? In other words, the strike may not be caused wholly by wages, there may be other things, for instance, secondary to wages. How are we going to take care of that?

Mr. KEPHART. Mr. President, I say all grievances could be covered in the offer.

Mr. HOLLAND. Mr. President, I did not hear the gentleman.

Mr. KEPHART. Mr. President, I said all grievances could be covered in the offer. Grievances are covered in the contract, aren't they?

Mr. HOLLAND. Yes. The last offer made by the company, you put in here.

Mr. KEPHART. I say that the last offer you are talking about could cover a plan to work out those grievances.

Mr. HOLLAND. That is all.

Mr. President, I believe that when the gentleman from Philadelphia, Senator Kephart, made the statement that he was not familiar with labor relations, he expressed the whole story. He had no right to put in this bill, because I believe that men who are devoting their lives to having good labor relations between labor and management, know that a bill of this type would encourage strikes. In other words, the gentleman from Philadelphia, in his bill, is inviting a strike. He says here that after a certain number of days, and he puts into the minds of the men that they are going to be compelled to go out on strike after so many days, because he, by that method of suggestion, writes into the bill that they may thereupon exercise their right to engage in a strike or a walkout.

I say to you, Mr. President, that any man who is trying to promote good labor relations would never put anything like that in a bill. Now, this bill comes purely out of Philadelphia, and I think the Members of the Senate will agree with me that we get a lot of things out of Philadelphia in these sessions, and very few good ones, too, but here he says that the Philadelphia strike is one of the reasons.

Mr. President, I would like to ask the gentleman from Philadelphia, why did not the councilmen serving on the Council of Philadelphia, and the Mayor, who were Members of the Executive Board, why did they not exercise their positions while on those Boards to see that this strike was properly handled, or rather the dispute between labor and management was properly handled before it came to a strike? They sat on that Board, those Executive Boards, but did they do anything? Did they just sit there, or did they do what the Mayor of the City said? He said, "I want to be nonpartisan in it, being the Mayor of the City," and then a representative of the Mayor comes here to Harrisburg, Mr. Kephart, and he is nonpartisan on the matter. He immediately wants to write a bill, and pass a law to settle disputes that human relations should have settled long before he came here.

Mr. President, I have tried in my years in Harrisburg, with Senator Geltz, to have a labor management school set up in all industrial districts. I have never heard Mr. Kephart yet raise his voice in favor of such a movement, a movement that would educate both labor and management as to their position on so-called public relations. He has never raised a voice, but he has come in here, in the time I know, each session with bills to hamstring or destroy labor unions, and destroy the labor movement. At no time has he offered his services as a lawyer to settle amicably the things that we should do. Oh, there is no strike in Russia, there is no strike in Germany, there is no strike in Italy, and when he speaks about forcing people, as he said on this floor today, the only one way he can settle it, the way he wants to do things, is by going to a dictatorship, and I know that we, who live under this free enterprise system, want to maintain it, and I say to him and the Members of this Senate, that this is not the approach to the problem. This approach to the problem will not only cause strikes in Philadelphia, but it will cause strikes throughout the whole state of Pennsylvania, because you are writing in this bill that after a certain length of time, it is their privilege and you invite those people to go out on strike. So, I say to you, Mr. President, this is not the approach to this problem.

Mr. HALUSKA. Mr. President, I am not going to discuss the merits of this bill, plenty has been said, but I want to point out to this body the courtesy extended to my friend from Lawrence County, Senator Neff, when he spoke. For the first time in the history of Pennsylvania that I know of, thirty-one Senators left their seats, and went back in the cloak room.

Mr. President, I have sat here for fifteen years, and I have heard many things which I did not like to hear, but with all due courtesy, I have listened patiently to the arguments coming forth from the other side of the house, and I think it is disgraceful when a colleague gets up from this side of the house, that thirty-one men should leave their seats and walk out without a quorum in the house.

Mr. President, I hope such a thing does not happen again.

Mr. LANE. Mr. President, much has been said here today on this piece of legislation. I do not believe that it is necessary to go into further detail. I think we can dispose of this bill rather quickly because we are quite convinced that this it not the type of legislation which should be passed by this Senate.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

MOTION TO RECOMMIT SENATE BILL No. 490

Mr. LANE. Mr. President, I move that Senate Bill No. 490, on final passage, be recommitted to the Committee on Labor and Industry, for further study and possible amendment.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, there is nothing before the Senate but the roll call.

The PRESIDENT. The point of order is well taken.

Mr. DENT. Mr. President, I was busy trying to check the rules, and I, therefore, am not recorded. However, I do want to be recorded as voting "no".

The PRESIDENT. The gentleman from Westmoreland will be so recorded.

POINT OF ORDER

Mr. DENT. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of order.

Mr. DENT. Mr. President, as I understood the procedure, the gentleman from Washington made a motion to recommit, and it is my contention, Mr. President, that a motion to recommit takes precedence over the roll call when the bill is up for debate.

The PRESIDENT. The motion to recommit was not seconded.

Mr. BARR. Mr. President, it was seconded.

The PRESIDENT. The motion to recommit was not seconded.

Mr. BARR. It was seconded, Mr. President.

The PRESIDENT. The point of order is not well taken.

Mr. DENT. Mr. President, I just want to say that the rules of the Senate do not seem to have any effect.

The PRESIDENT. Are there any corrections to the roll call?

Mr. BARR. Mr. President, first of all I want to say that I did second the motion of the gentleman from Washington, and Mr. Walker got up—

POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, there is nothing before the Senate but the announcement of the roll.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker is correct, and the point of order is well taken. The Clerk will proceed with the announcement of the roll.

VERIFICATION OF THE ROLL

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Homsher,	Robinson,	Wagner,
Blass,	Kephart,	Scarlett,	Walker,
Diehm,	Lord,	Snowden,	Watkins,
Farrell,	Mahany,	Stevenson,	Watson,
Frazier,	Mallery,	Tallman,	Wolfe,
Geltz,	McPherson, Jr.,	Taylor,	Wood, L. H.,
Hare,	Meade,	Wade,	Wood, T. N.,
	Peelor,		

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr,	Doehla,	Leader,	Ruth,
Barrett,	Donlan,	Letzler,	Stiefel,
Crowe,	Haluska,	Neff,	Tarr,
Dent,	Holland,	Pechan,	Toole,
DiSilvestro,	Lane,	Rosenfeld,	Yosko,

The PRESIDENT. Are there any corrections?

Mr. BARR. Mr. President, how is the gentleman from Lycoming, Mr. Snowden, recorded as voting?

The PRESIDENT. The gentleman from Lycoming, Mr. Snowden, is recorded as having voted "aye".

Mr. BARR. Mr. President, I did not see him here when the roll was called.

The PRESIDENT. Is the gentleman from Lycoming, Mr. Snowden, in his seat, or is Mr. Snowden on the floor? Is the gentleman from Allegheny, Mr. Barr, challenging the vote of the gentleman from Lycoming, Mr. Snowden?

Mr. BARR. Mr. President, I am challenging Senator Snowden's vote.

POINT OF ORDER

Mr. KEPHART. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Philadelphia, Mr. Kephart will state his point of order.

Mr. KEPHART. Mr. President, when the affirmative votes were called, the Chair requested if the affirmative roll was correct, and nobody objected to it.

The PRESIDENT. That is correct.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, it is also well known that a man not present cannot be recorded.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, is correct.

Mr. DENT. Mr. President, the gentleman from Lycoming is not here, and I think it is stubborn insistence to have his vote accepted. How do you know whether the gentleman wants to vote for your bill?

Mr. WALKER. Mr. President, has the roll been verified?

Mr. BARR. Mr. President, I am going to insist that the name of the gentleman from Lycoming, Senator Snowden, be stricken from the affirmative roll.

Mr. WALKER. Mr. President, I have no objection to the name of the gentleman from Lycoming, Senator Snowden, being stricken from the affirmatirve roll.

The PRESIDENT. The name of the gentleman from Lycoming, Mr. Snowden, will be stricken from the affirmative roll.

The PRESIDENT. Are there any further corrections? The Chair hears none. The roll will stand as corrected.

The vote on the passage of the bill: ayes 29, nays 20.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Berger,	Homsher,	Peelor,	Wagner,
Blass,	Kephart,	Robinson,	Walker,
Chapman,	Lord,	Scarlett,	Watkins,
Diehm,	Mahany,	Stevenson,	Watson,

Farrell,	Mallery,	Tallman,	Wolfe,
Frazier,	McPherson, Jr.,	Taylor,	Wood, L. H.,
Geltz,	Meade,	Wade,	Wood, T. N.,
Hare.			

NAYS—20

Barr,	Doehla,	Leader,	Ruth,
Barrett,	Donlan,	Letzler,	Stiefel,
Crowe,	Haluska,	Neff,	Tarr,
Dent,	Holland,	Pechan,	Toole,
DiSilvestro,	Lane,	Rosenfeld,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I just want to make one prediction. I think the House of Representatives will show more sense than the Senate, and I predict they will never pass this punitive piece of legislation.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 518, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended by adding after section three hundred nine point one thereof a new section to read as follows

Section 309.2 Limitations Upon Enforcement of Payment of Contributions Interest and Penalties

Notwithstanding any other provisions of this act to the contrary contributions interest and penalties shall not be deemed to be due and payable under the provisions of this act more than four years after the end of the calendar year in which the wages were paid with respect to which liability for the payment of such contributions interest or penalties as the case may be was based and no action for the collection thereof shall be instituted after the expiration of such four-year period unless prior to the expiration of such four-year period and with respect thereto (1) an assessment proceeding shall have been instituted pursuant to the provisions of section three hundred four of this act or (2) an action shall have been instituted pursuant to the provisions of section three hundred nine of this act or (3) a lien shall have been entered pursuant to the provisions of section three hundred eight point one of this act provided that the provisions of this section shall not apply where an employer by willful failure or refusal to file a report with the department or to include in any report all wages which he has paid or otherwise has attempted to avoid or reduce liability for the payment of contributions

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 553, as follows:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders

of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and person authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of Section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-five (P. L. 382) is hereby further amended to read as follows

Section 1009 Limitation upon Investing in Shares

* * * * *

B Any bank or bank and trust company may purchase or invest an amount not in excess of ten per centum of its unimpaired capital and ten per centum of its unimpaired surplus in the shares of [a Federal Reserve Bank] any national banking association located within this Commonwealth or the shares of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth [or of any corporation organized for the purpose of conducting a safe deposit business] and any bank or bank and trust company may purchase or invest in the shares of a Federal Reserve Bank or the shares of any corporation organized under the laws of this Commonwealth solely for the purpose of conducting a safe deposit business without regard to any limitations prescribed by this act

This subsection shall not be construed to affect the shares of any national banking association located within this Commonwealth or the shares of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth lawfully held on the effective date of this amendment However such shares shall be computed in determining the power under this act of a bank or bank and trust company to make any additional purchases of or investment in such shares

Section 2 Effective Date The provisions of this act shall become effective ten days after final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 554, as follows:

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustess shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1006 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1185) and as amended in part by the act approved the twenty-first day of February one thousand nine hundred and forty-five (P. L. 7) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of

credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bonds bills of exchange or other [commercial] [paper of] evidences of indebtedness of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to or obligations of the United States or obligations issued under authority of the Federal Farm Loan Act as amended or issued by the Federal Home Loan Banks or the Home Owners' Loan Corporation or obligations which are issued by the Federal Housing Administrator pursuant to section two hundred and seven of the National Housing Act if the debentures to be issued in payment of such insured obligations are guaranteed as to principal and interest by the United States or obligations of national mortgage associations or loans secured by not less than the face amount of bonds or other interest-bearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged to the extent that such loans are secured or covered by guaranties or by commitments or agreements to take over or to purchase made by any Federal Reserve Bank or by the United States or any department bureau board commission or establishment of the United States including any corporation wholly owned directly or indirectly by the United States

(2) Loans to [the Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth or loans secured by bonds or other interest-bearing obligations of the Commonwealth or of any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of the Commonwealth or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of this Commonwealth is pledged] or loans secured by obligations of or obligations of or loans or obligations guaranteed by the following

(a) The Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth

(b) Any other State of the United States or any political subdivision thereof provided that this exemption shall apply only to the general obligations of such other States of the United States or political subdivisions thereof

(3) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(4) The discount of [trade acceptances or other] commercial or business paper actually owned by the corporation or person negotiating it to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similar documents conveying or securing title to readily marketable nonperishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

Section 2—

B However a bank or a bank and trust company may in addition to the ten per centum authorized by this section lend to any corporation or person an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank and trust company if such additional fifteen per centum is secured by the cash surrender value of life insurance in an amount equal to such additional fifteen per centum or by collateral having an ascertained market value of at least twenty per centum more than the amount of the liability so secured

C In computing the total liabilities of any individual to a bank or bank and trust company there shall be included all liabilities to the bank or bank and trust company of any partnership or any unincorporated association of which he is a member any loans made for his benefit or for the benefit of such partnership or unincorporated association and any loans made to or for the benefit of a corporation of which he owns fifty per centum or more of the capital

In computing the total liabilities of any partnership or unincorporated association to a bank or a bank and trust company there shall be included all liabilities of its individual members to such bank or banks and trust company loans made for the benefit of such partnership or unincorporated association or any member thereof and loans made to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns fifty per centum or more of the capital

In computing the total liabilities of any corporation to a bank or a bank and trust company there shall be included all loans made for the benefit of the corporation and all loans to or for the benefit of any individual or any partnership or unincorporated association or any member thereof who owns fifty per centum or more of the capital of such corporation

A loan shall be deemed to be made for the benefit of a corporation or a person to the extent that the proceeds of such loan are transferred to such corporation or person

Section 2 Section 1007 of the said act as last amended by the act approved the twenty-first day of February one thousand nine hundred and forty-five (P. L. 7) is hereby further amended to read as follows

Section 1007 Loans to Directors Officers or Employes of a Bank Bank and Trust Company or a Trust Company Penalty A Loans to a director of a bank a bank and trust company or a trust company shall be subject to the same limitations as are by this act prescribed in the case of loans by a bank or a bank and trust company to corporations and persons generally and to the additional limitations prescribed by this section Any director however who is at the same time a salaried officer or employe of the bank the bank and trust company or the trust company or of an affiliated bank bank and trust company or trust company or an affiliated national banking association as defined in this act shall be subject to the additional limitations of this section in respect to loans to salaried officers or employes

B A bank a bank and trust company or a trust company shall not unless such loan shall be secured by the cash surrender value of life insurance in an amount equal to the amount of the loan so secured or by collateral having an ascertained market value of at least twenty per centum more than the amount of the loan so secured grant to any director officer or employe thereof any loan or line of credit without (1) the prior affirmative vote or the prior written assent filed in the place of business of the institution of a majority of all the directors of the bank bank and trust company or trust company granting the loan except that if it is a director who is directly or indirectly interested in obtaining the loan he shall not have a vote or (2) the prior vote of a majority of the executive committee of the board of directors subsequently ratified by an affirmative vote of a majority of the members of the board of directors present at the meeting at which such action of the executive committee shall be ratified

C A bank a bank and trust company or a trust company shall not grant a loan in excess of one thousand dollars to a salaried officer or employe thereof or to a salaried officer or employe of an affiliated bank bank and

trust company or trust company or an affiliated national banking association as defined in this act unless the amount of the loan in excess of one thousand dollars be secured by the cash surrender value of life insurance in an amount equal to the amount of that portion of the loan which is in excess of one thousand dollars or by [readily marketable] collateral [the] having an ascertained market value of [which shall at no time be less than one hundred and] at least twenty per centum [of] more than the amount of the loan in excess of one thousand dollars The aggregate amount of loans to any such salaried officer or employe including therein any extension of credit by means of letters of credit or by acceptance of drafts for or the discount or purchase of notes bills of exchange or other obligations of such salaried officer or employe shall not exceed ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of such bank bank and trust company or trust company The limitations of this sub-section relating to collateral and the amount thereof shall not be construed to prevent any such salaried officer or employe from obtaining a loan upon the security of a mortgage upon the home of such salaried officer or employe nor shall the provisions of this subsection apply to loans to salaried officers or employes made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of one thousand nine hundred and forty-four" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act

D Any director officer or employe of a bank a bank and trust company or a trust company who on behalf of such bank bank and trust company or trust company knowingly grants a loan in violation of this section and any director officer or employe of such bank bank and trust company trust company or national banking association who wilfully accepts such a loan with knowledge that it was granted in violation of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the loan he shall furthermore be forever disqualified from acting as a director officer or employe of any institution in this Commonwealth

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the deaf and the Pennsylvania Soldiers' Orphans School to withdraw from the Retirement System and receive reimbursement for moneys paid in

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 650) is hereby further amended to read as follows

Definitions

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State [Normal Schools] Teachers' Colleges or of the staff of the Thaddeus Stevens Trade School or of the staff of the Pennsylvania State Oral School for the deaf or of the staff of the Pennsylvania Soldiers' Orphans School or of the staff of the State Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions Provided That no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act And provided further That those employes of the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School For the Deaf and Pennsylvania Soldiers' Orphan School who are members of or are entitled to membership in the retirement system herein established may withdraw from the system and be entitled to reimbursement of moneys which they have paid in

by so electing in writing filed with the retirement board on or before the first day of July one thousand nine hundred and [thirty six] fifty After said date all new employes in the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School For the Deaf and Pennsylvania Soldiers' Orphan School shall be members of said system unless they elect otherwise in writing filed with the retirement board within [one year] six months after beginning their employment

In every case where any officer or employe of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf Pennsylvania Soldiers Orphan School withdraws from the system and becomes a member of the State Employes Retirement Association after the effective date of this amendment the Public School Employes' Retirement Board shall transfer to the State Employes Retirement Fund from the School Employes Retirement Fund an amount equal to all contingent and State annuity reserves of such officer or employe in the School Employes' Retirement Fund as determined by the Public School Employes Retirement Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 617, as follows:

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled An act establishing a State employes' retirment system and creating a retirement board for the administratior thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that certain employes of the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School who are not members of or who may withdraw from the public school employes' retirement association may become members of the State Employes' Retirement Association and receive credit for their service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration theerof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 335) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 611) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 616) the sixteenth day of June one thousand nine hundred forty-seven (P. L. 620) the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1149) and the fifth day of July one thousand nine hundred forty-seven (P. L. 1342) is hereby further amended to read as follows

Definitions

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the legislature as fixed by law and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Interstate Commission on the Delaware River Basin as of the date of entering the service of such commission and of the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission and of the Pennsylvania Turnpike Commission paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not in-

cluded however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such pupblic corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of Public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf Pennsylvania Soldiers' Orphans School as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no members shall be deprived of credit for prior service as a State mploye because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association and that all service credited as a member of the public school employes' retirement system will be considered as having been rendered as a State employe The rates of deduction from salaries of such officers and employes to the State Employes' Retirement Fund shall be determined by the age at which the employe began to contribute to The Public School Employes Retirement Fund

The term "State employe" shall also include all State officers and employes regularly employed by the year of by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly solary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

Employes of the respective institutions acquired by the Commonwealth from counties cities words boroughs townships institution districts and other political subdivisions that are actually used as a State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirtieth day of June one thousand nine hundred forty-seven became contributors to this fund shall for the purposes of this act be deemed to have been "State employes" from the time they first entered the employ of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employe shall pay to the retirement association a sum equal to all the back payments which such employe would have made had he or she become a member of the retirement association at the time he or she was first employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employe increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

The term "State employe" shall also include State officers and employes regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year

In all cases of doubt the retirement board shall determine whether any person in a State employe as defined in this paragraph and its dcision shall be final

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Leader,	Ruth,	Watkins,
Diehm,	Letzler,	Scarlett,	Watson,
DiSilvestro,	Lord,	Snowden,	Wolfe,
Doehla,	Mahany,	Stevenson,	Wood, L. H.,
Donlan,	Mallery,	Stiefel,	Wood, T. N.,
Farrell,	McPherson, Jr.,	Tallman,	Yosko,
Frazier,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 619, as follows:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treausry

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" as amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 330) is hereby further amended to read as follows

Section 11 The State Treasurer on the first business day of [June September December and March] each month shall render a statement of account to the Auditor General giving in detail the different sums which go to make up the grand total of the amount on that day in the State Treasury including moneys appropriated to the sinking fund Such statement shall include the names of banks banking institutions or trust companies with whom the public funds are deposited with the various amounts of such deposits and shall be verified by oath or affirmation of the State Treasurer and recorded in a book kept for that purpose in the Auditor General's office and such record shall be open for the inspection of the Governor heads of departments members of the Legislature or any citizen of the State desiring to inspect the same and shall be correctly published in not more than six newspapers one of which shall be published at Harrisburg to be selected by the Auditor General for general information payment of publication to be made from moneys in the State Treasury appropriated for this purpose

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "ays" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720, as follows:

An Act requiring certain associations as herein defined furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served and providing for judicial review of orders of the Commission relating to such certificates and providing penalties

The General Assembly of the Commonwealth of Pennvania hereby enacts as follows

Section 1 The following words and phrases shall have the meanings ascribed to them in this act unless the context clearly indicates otherwise

(1) "Telephone Service" shall mean the conveying or transmitting of messages or communications by telephone for the public for compensation

(2) "Association" shall mean any person or persons firm partnership association or corporation including lessees assignees receivers or other successors in interest organized as a cooperative association and furnishing telephone service only to its stockholders or members on a non-profit basis

(3) "Commission" shall mean the Pennsylvania Public Utility Commission

Section 2 No association shall hereafter commence to engage in the business of furnishing telephone service or shall extend its telephone service into any area not theretofore served unless such association shall first have secured the approval of the Commission evidenced by its certificate of public convenience which shall be issued by the Commission in the form and manner and after hearings and findings and subject to the same right of appeal as is now provided for by the Public Utility Law the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 1053)

Section 3 Every association shall be entitled without the requirement of the certificate of public convenience provided for in Section 2 hereof to the full enjoyment and exercise of all and every rights powers and privileges which it lawfully possessed and exercised on the effective date of this act

Section 4 If any association shall violate any of the provisions of this act or shall fail neglect or refuse to comply with any final order of the Commission or to comply with any final order of any court he or it shall forfeit and pay to the Commonwealth of Pennsylvania the sum of fifty dollars ($50.00) for each and every day's continuance in violation of this act or of the order of the Commission or court to be recovered in an action of assumpsit instituted in the name of the Commonwealth of Pennsylvania in the Court of Common Pleas of Dauphin County which court is hereby clothed with exclusive jurisdiction throughout the Commonwealth to hear and determine all such actions

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Donlan,	Mallery,	Taylor,
Barrett,	Farrell,	McPherson, Jr.,	Wade,
Berger,	Frazier,	Meade,	Wagner,
Blass,	Geltz,	Pechan,	Walker,
Chapman,	Hare,	Peelor,	Watkins,
Crowe,	Homsher,	Robinson,	Watson,
Dent,	Kephart,	Scarlett,	Wolfe,
Diehm,	Letzler,	Snowden,	Wood, L. H.,
DiSilvestro,	Lord,	Stevenson,	Wood, T. N.,
Doehla,	Mahany,	Tallman,	Yosko,

NAYS—10

Haluska,	Leader,	Ruth,	Tarr,
Holland,	Neff,	Stiefel,	Toole,
Lane,	Rosenfeld,		

A majority of all the Senators having voted "ays" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 756, as follows:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded firearms and loose ammunition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 386) is hereby further amended to read as follows

Section 806 Possession of Loaded Firearms and Certain Ammunition Restricted (a) Except as otherwise provided by law it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed in or on any vehicle or conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use or used by the public within this Commonwealth [Provided however that except as hereafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard tim of the day following any unloaded rifle or shotgun being lawfully carried in accordance with the foregoing provisions shall be so carried only when in a case or taken apart and securely wrapped but this requirement relative to carrying rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive]

(b) [Except during the period enumerated in subsection (A) of this section it] It is unlawful for any person to have in possession in or on any vehicle conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use by the public within this Commonwealth [except as hereinafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following] any rifle cartridge (larger than a .22 caliber long rifle) or any shotgun shell containing either a single bullet or pellets larger than a BB unless all such cartridges or shells are carried in [unbroken original] cartons or are securely [wrappel] contained except during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive,

[(c) Provided however (a) that during the period from July first to September thirtieth inclusive of each year the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian eastern standard time and (b) that the commission may by resolution change the daily hours stipulated in subsections (a) (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law or by any regulations promulgated under Federal law]

(d) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty or to an officer whose duty it is to enforce the game law and engage in the performance of his official duty

(e) Any person violating any of the provisions of this section while the vehicle is in motion or is being used as a blind from which to kill or attempt to kill game while the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution Any other violation of the provisions of this section shall upon conviction subject the person responsible therefor to a fine of ten dollars and costs of prosecution

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having vated "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preperations and compounds in the interest of public health" is amended to read as follows

Section 3 The provisions of this act shall be enforced by the Department of Health of the Commonwealth of Pennsylvania and for that purpose the Secretary of Health is hereby authorized to make such rules and regulations as may be deemed necessary for the proper enforcement of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having vated "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 810, as follows:

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks theerof owners of vhicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal drawn vehicles.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 619 Counties and Municipalities Liable for Negligence of Their Employes Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating an animal-drawn vehicle or a motor vehicle or fire department equipment upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damage caused by the negligence of such member while operating an animal-drawn vehicle or a motor vehicle or fire dapartment equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such animal-drawn vehicle or motor vehicle or fire department equipment for such volunteer fire company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 933, as follows:

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and

to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for the voluntary liquidation and dissolution of banks bank and trust companies and trust companies and repealing certain acts and parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The table of contents of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Table of Contents

Article I Short Title and Preliminary Provisions

* * * * *

Article XIV Merger Consolidation or Conversion Incorporated Institutions National Banking Association [.] Voluntary Liquidation and Dissolution Banks Bank and Trust Companies and Trust Companies

* * * * *

Section 1423 Voluntary Liquidation and Dissolution Banks Bank and Trust Companies and Trust Companies

Section 2 Article fourteen of the said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 779) is hereby further amended to read as follows

Article XIV

Merger Consolidation or Conversion Incorporated Institutions National Banking Associations Voluntary Liquidation and Dissolution Banks Bank and Trust Companies and Trust Companies

* * * * *

Section 1423 Voluntary Liquidation and Dissolution Banks Bank and Trust Companies and Trust Companies A A bank bank and trust company or trust company may voluntarily liquidate and dissolve if

(1) The proposal to liquidate and dissolve voluntarily has been approved by a vote of two-thirds of the outstanding voting stock at a regular or special meeting called for the purpose of considering such action

(2) The bank bank and trust company or trust company is found by the Secretary of Banking to be solvent and to have sufficient liquid assets immediately to pay off depositors and creditors

B (1) Upon approval by two-thirds of the share holders and the Secretary of Banking as provided in (2) above the bank bank and trust company or trust company shall forthwith cease to do business shall have only the powers necessary to effect an orderly liquidation and shall proceed to pay its depositors and creditors and to wind up its affairs

(2) Within thirty days after the approval a notice of liquidation shall be sent by mail to each depositor creditor person interested in funds held in a fiduciary capacity lessee of a safe deposit box or bailor of property The notice shall be posted conspicuously on the premises of the liquidating institution and shall be given such publication as the Secretary of Banking may require The bank bank and trust company or trust company shall send with the notice a statement of the amount on the books to be the claim of the depositor or creditor The notice shall demand that property held by the bailee or in a safe deposit box be withdrawn by the person entitled thereto and that claims of depositors and creditors if the amount claimed differs from that stated in the notice to be due be filed with the liquidating institution before a specified date not earlier than sixty days thereafter in accordance with the procedure prescribed in the notice

(3) As soon after approval as may be practicable in the case of a bank and trust company or trust company it shall resign all fiduciary positions and take such action as may be necessary to settle its fiduciary accounts

(4) Safe deposit boxes the contents of which have not been removed within sixty days after demand shall be opened and the contents handled in such manner as the Secretary of Banking shall prescribe and sealed packages containing the contents together with any other unclaimed property held by the bank bank and trust company or trust company as bailee shall be transmitted to the Department of Revenue to be converted into cash and paid into the State Treasury without escheat

(5) All funds payable to any depositor or creditor unclaimed after payment to other depositors and creditors shall be paid through the Department of Revenue into the State Treasury without escheat

(6) The approval of an application for liquidation shall not impair any right of a depositor or creditor to payment in full and all lawful claims of creditors and depositors shall promptly be paid The unearned portion of the rental of a safe deposit box shall be returned to the lessee

(7) Any assets remaining after the discharge of all obligations shall be distributed to the share holders in accordance with their respective interests No such distribution shall be made before (a) all claims of depositors and creditors have been paid or in the case of any disputed claim the liquidating institution has transmitted to the Secretary of Banking a sum adequate to meet such liability (b) all trusts and fiduciary relationships have been divested and settled to the satisfaction of the interested parties or the court having jurisdiction or in the case of any disputed claim arising therefrom the bank and trust company or trust company has transmitted to the court having jurisdiction a sum adequate to meet such liability and (c) any funds payable to a depositor or creditor and unclaimed have been paid through the Department of Revenue into the State Treasury without escheat and a report thereof filed with the Secretary of Banking

C If the Secretary of Banking finds that the assets will be insufficient for the full discharge of all obligations or that completion of the liquidation has been unduly delayed he may take possession and complete the liquidation in the manner provided by the Department of Banking Code Act of May 15 1933 (P. L. 565) as now or hereafter amended

D The Secretary of Banking may require reports of the progress of liquidation and may make such examinations and investigations as he deems requisite into the affairs of the liquidating bank bank and trust company or trust company and assess the cost thereof against such institution He shall prescribe such rules and regulations not inconsistent herewith as may be requisite for the administration and enforcement of this section

E Whenever the Secretary of Banking is satisfied that

the liquidation has been properly completed he shall issue a certificate of forfeiture of the articles of incorporation which shall be filed with the Department of State The Department of State shall send a copy of such certificate to the last known address of the bank bank and trust company or trust company and a copy to the Department of Revenue and a copy to the Department of Banking

Section 3 The act approved the ninth day of April one thousand eight hundred and fifty-six (P. L. 293) entitled "A supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to banks bank and trust companies and trust companies is hereby repealed and all other acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Represntatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 979, reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" by further defining water obstructions and enlarging the powers and duties of the Water Power Resources Board by further providing for regulation of dredging operations and the issuance of permits therefor in any stream or body of water

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 991, as follows:

An Act to further amend the act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" are hereby amended to read as follows

Section 1 [Be it enacted &c That it] It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell milk which contains any added water or milk which has had the [butterfat] butterfat or any portion thereof removed therefrom or milk which has been added any substance for the purpose of increasing its consistency or thickness or milk which contains less than three and one-quarter (3¼) per centum of [butter-fat] butterfat and less than twelve (12) per centum of milk solids Provided however That skimmed milk when clean and wholesome or not more than one-half (½) of one (1) per centum of butterfat may be sold if sold as skimmed milk [.] and Provided further That milk may be standardized by partial skimming or by the addition of skimmed milk or by the addition of cream or milk rich in fat but in no event shall such resultant standardized milk contain less than three and one-fourth (3¼) per centum of butterfat and twelve (12) per centum total solids or more than five (5) per centum of butterfat

Section 2 [That it] It shall be unlawful for any person firm or corporated body by himself herself itself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell cream which contains or is mixed with any added condensed or evaporated milk or cream or cream to which has been added any substance for the purpose of increasing its consistency or thickness or cream which contains less than eighteen (18) per centum of [butter-fat] butterfat Provided That cream when it contains or is mixed with any added condensed or evaporated milk or cream may be sold if the vessel or container in which such cream is sold is plainly labeled stating the fact that such cream contains or is mixed with added condensed or evaporated milk or cream and the amount thereof

Section 2 Section three of said act as amended by the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws 735) is hereby further amended to read as follows

Section 3 [That any] Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five [(25)] dollars [,] ($25) nor more than fifty [(50)] dollars [,] ($50) [or imprisonment for not less than thirty (30) days nor more than ninety (90) days or either or both at the discretion of the court]

If a person accused of violating section one of this act shall furnish satisfactory affidavit that nothing has been added to or taken from the milk in question which is otherwise pure and wholesome and is not below three (3) per centum of [butterfat] butterfat the Dairy and Food Commissioner shall file said affidavit with the record and

no prosecution shall be instituted against said person This provisions shall not apply to or in any way affect samples of milk purchased or obtained prior to the approval of this act

Section 3 Sections four five and six of said act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws 712) are hereby amended to read as follows

Section 4 [That the] The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 5 [That all] All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 6 This act shall not apply to nor in any way affect the act entitled "An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same" approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven and the amendment thereto approved the nineteenth day of April [Anno Domini] one thousand nine hundred [and] one entitled "An act to amend the first section of an act entitled 'An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same' approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven" which act shall remain in full force but all other acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1068, as follows:

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school buildings or athletic field for charitable purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 775 Use of school buildings for other purposes arrangement with city borough or township The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes under such rules and regulations as the board may adopt The board shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper Any board of school directors may make such arrangements as it may see proper with any officials or individuals for the temporary use of school property for schools playgrounds social recreation or other proper educational purposes primaries and election

The board of school directors of any school district shall have power and authority to lease any part of their respective school building equipment and premises to any university or college of the Commonwealth approved by the State Council of Education for the purpose of conducting and maintain therein university or collegiate courses Such leases shall be subject to the terms and regulations which may be adopted by the board of school directors and except in districts of the first class shall be further subject to the approval of the State Council of Education

The board of public education or the board of school directors of any school district shall have power and authority to lease any of their respective school buildings or athletic fields to any reputable organiation or group of persons for charitable purposes subject to such charges as the board shall consider proper to reimburse it for any costs resulting from the leasing of such school buildings or athletic fields At the time of such leasing any such board may require a bond in an amount that it may deem proper with responsible sureties or securities and a statement of the charitable purposes for which such lease is requested

Section 2 The provisions of this act as well as the provisions of the section amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,

Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1073, entitled:

An Act to amend subsection five of section seven of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; expecting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for determining the amount earnable by members of the General Assembly.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ROSENFELD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend, Section 1 (Section 7), page 4, line 2 by adding after the word "Assembly" the following: "together with one-half of the expense allowance granted for each two year period of service by the Act of 1947 P. L. 1439, Amend, Section 1 (Section 7), page 4, line 3 by striking out after the word "member" the following: "together with annual"; Amend, Section 1 (section 7), page 4, line 4, by striking out the following: "expense allowance granted by law".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1073, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING POSTPONED CALLED UP

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 72, on third reading postponed, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 4, line 15, by striking out the words two thousand (2,000) persons and insert in lieu thereof one thousand eight hundred (1,800) persons.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unaimous consent that Senate Bill No. 72, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 82, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 956) entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes" by increasing certain fees fixed by said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 160, on second reading, entitled:

An Act to further amend paragraph three of section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" further defining "mental illness" "mental disease" "mental disorder" so as not to include senility without phychosis

be recommitted to the Committee on Public Health and Welfare.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 178, on second reading, entitled:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of onehalf of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities borough towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds and repealing an existing law.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendment:

Amend Sec. 1, page 2, line 19, by inserting, after the word "thereof", the following: "except that cities of the first class receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the firemen's pension fund only".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 216, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 241, on second reading, entitled:

An Act to add article Seven-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 193) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the protection of the public health and for the appointment powers and duties of boards of health and health officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 271, entitled:

An Act providing for the creation and incorporation of municipal corporations of metropolitan districts by cities of the third class boroughs towns and townships to carry

out certain of their governmental functions in a more efficient manner prescribing the officers and powers and duties of such districts and the duties of participating municipalities and conferring jurisdiction on courts of quarter sessions in connection therewith

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth sections were read and agreed to.

The twentieth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Section 20, page 15, after line 17, of paragraph 3, by adding after said paragraph 3 and before Section 21, the following: "(4) To construct or provide any facility or improvement for the sole benefit or use of one of the participating municipalities or of less than the whole area of one of the participating municipalities".

It was agreed to.

The section was agreed to as amended.

The twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Section 1 (Sec. 4), page 18, by striking out all of line 19.

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth sections were read and agreed to.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Section 15 (Sec. 601), page 72, line 8, by striking out the word "exclusively" and inserting in lieu thereof "exclusive".

It was agreed to.

The section was agreed to as amended.

The sixteenth, seventeenth, eighteenth and nineteenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 286, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 338. entitled:

An Act to further amend section one hundred eighty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the appointment of a solicitor for the sheriff in counties of the sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various offices of said political subdivisions and prescribing penalties" by further prescribing the pro rata payments to be made by cities of the third class counties and school districts for certain salaries and expenses in connection with the collection of taxes by the city treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined.

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendment:

Amend Section 4 (Section 302) page 32 by striking out lines 10 to 19 inclusive and inserting in lieu thereof the following:

(h) For the purpose of determining any employer's rate of contribution for any year the phrase the "balance in an employer's reserve account" as used in section 301 hereof shall mean the difference between the amounts computed or ascertained as provided in this section which have been credited or charged respectively to his reserve account. Either for the period, during which he shall have been subject to this act, ending on such year's computation date, or the immediately preceding three twelve-month periods ending on such computation date, whichever amount shall be the greater.

It was agreed to.

The section was agreed to as amended.

The fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendments:

Amend page 34 by inserting between lines 14 and 15 the following:

Section 8. Section five hundred two of said act as last amended by the act approved the twenty-third day of April, one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows:

Section 502. Decision of Referee; Further Appeals and Reviews—Where an appeal from the determination or revised determination, as the case may be, of the department is taken, a referee shall, after affording the parties reasonable opportunity for a fair hearing, affirm, modify, or reverse such findings of fact and the determination or revised determination, as the case may be, of the department as to him shall appear just and proper. The parties shall be duly notified of the referee's decision, and the reason therefor, which shall be deemed the final decision of the board, unless within ten days after the date of such decision the board acts on its own motion, or upon application, permits any of the parties to institute a further appeal before the board. A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years. Notwithstanding any other provisions of this act to the contrary, with any appeal or further appeal filed by an employer with the board, the employer shall be required to pay a filing fee, in an amount which under rules and regulations adopted by the board shall be determined to be reasonably representative of the costs incident to such appeal: Provided, That such fee shall be refunded if the claimant is finally denied benefits or awarded benefits in an amount less than the amount of the award from which the appeal was taken Such fees shall be deposited in the Special Administration Fund and all refunds as provided herein shall be made from such fund.

Section 9. Section six hundred one point one of said act as last amended by the act approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 721) is hereby amended to read as follows:

Section 601.1. Special Administration Fund—There is hereby created a special fund, separate and apart from all public moneys or funds of this Commonwealth, to be known as the Special Administration Fund. Under rules and regulations adopted by the department, interest and penalties collected from employers under the provisions of this act and fees incident to appeals as provided in section five hundred two may be paid into the Special Administration Fund. Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund. The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Administration Fund. Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act. Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received. The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided, upon requisition of the secretary and certification by him that no other funds are available or can properly be used to

finance such expenditures. The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act, as amended, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of this act and are available for such replacement, whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment. The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section, and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under [section] sections three hundred [and] eleven, and five hundred two, wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund.

Section 10. Section seven hundred two of said act is hereby amended to read as follows:

Section 702. Limitations of Fees—No employer or employe shall be charged fees of any kind in any proceeding under this act by the department, the board, or any of its officers or agents except as provided in section five hundred two. Any individual claiming compensation in any proceeding before the department, the board, or referee may be represented by counsel or other duly authorized agent; but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board. Any person who violates any provision of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars, or be imprisoned for not more than six months, or both.

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendment:

Amend Section 8, page 34, line 15, by striking out the figure "8" and inserting in lieu thereof "11".

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendment:

Amend Section 9, page 37, line 1, by striking out the figure "9" and inserting in lieu thereof "12".

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendment:

Amend Section 10, page 38, line 1, by striking out the figure "10" and inserting in lieu thereof "13".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. LLOYD H. WOOD offered the following amendments:

Amend the first line of the title, page 1, by striking out after the word "one" as it appears the first time in said line, the word "and"; Amend the first line of the title, page 1, by inserting at the end of said line the following: "five hundred two and six hundred one point one"; Amend the second line of the title, page 1, by inserting after the word "of" as it appears the first time in said line, the following: "to amend section seven hundred two"; Amend the last line of the title, page 2, by adding after the word "determined" the following: "and under certain conditions for the payment by employers of the cost of appeals".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 367, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 408, on second reading, entitled:

An Act to add section one thousand fifty-four point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of child behavior clinics in the offices of county superintendents and providing for the appointment of psychologists psychiatrists and psychiatric social workers for the operation of said clinics.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 483, entitled:

An Act to further amend subsection six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and

franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financil and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof persons or corporations furnishing transportation of any injured ill or dead person

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 1 (Sec. 2), page 8, line 7, by inserting a bracket before the letter "(g)". Amend Sec. 1 (Sec. 2), page 8, line 7, by striking out the bracket before the word "any". Amend Sec. 1 (Sec. 2), page 8, line 12, by inserting before the word "any" "(i)"; Amend Sec. 1 (Sec. 2), page 10, line 2, by inserting a bracket before the letter "(g)"; Amend Sec. 1 (Sec. 2), page 10, line 2, by striking out the bracket before the word "any"; Amend Sec. 1 (Sec. 2), page 10, line 6, by inserting before the word "any" "(i)".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 488, on second reading, entitled:

An Act to further amend sections fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that no filing fee shall be paid for any nomination petition for councilman in any borough

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 580, on second reading, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 583, entitled:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled

"An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 585, entitled:

An Act authorizing the Controller Treasurer and Receiver of Taxes in cities of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class and school districts of the first class under certain conditions

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Sec. 1, page 8, line 17, by inserting after the word "Class" the following "in cities of the second class"; Amend Sec. 1, page 8, line 20, by inserting after the word "If" the following: "(a)"; Amend Sec. 1, page 9, lines 1 and 2, by striking out "of such city and school district are" and inserting in lieu thereof: "in a city of the first class and the school districts of the first class coterminous therewith or if (b) the Controller, Treasurer and President of Council of a city of the second class or if (c) the Controller, Treasurer and President of the School Board of a school district of the first class which is coterminous with a city of the second class are in each of the above classifications as to taxes affecting each such classification".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Sec. 2, page 9, lines 9 and 10, by striking out "Controller treasurer and receiver of taxes" and inserting in lieu thereof: "officers in each classification set forth in section one hereof"; Amend Sec. 2, page 9, lines 13 and 14, by striking out "The controller treasurer and receiver of taxes" and inserting in lieu thereof: "said officers".

They were agreed to

The section was agreed to as amended.

The third, fourth, fifth and sixth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BARR offered the following amendments:

Amend Title, page 1, lines 6 to 9 of title, both inclusive, by striking out all of said lines; Amend Title, page 2, lines 1, 2 and 3 of title, by striking out all of said lines, and inserting in lieu thereof: "Authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions".

They were agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 592, on second reading, entitled:

An Act authorizing the Joint State Government Commission to make a codification of the insurance laws of the Commonwealth providing for the appointment of an insurance law codification committee authorizing the employment of necessary assistants prescribing the powers and duties of the committee and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existtent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation asso? ciation or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any state of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine of the act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," by extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 1 (Sec. 9), page 4, line 20, by inserting after the word "minor" the following: "or a petition for the appointment of a guardian of the person of such minor."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 672, on second reading, entitled:

An Act to further amend sections two four five and six of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by bringing additional types of buildings under the provisions of the act further revising the classification of buildings covered by this act further regulating ways of egress providing for fire proofing or the closing of vertical openings in buildings regulating the installation of equipment for the display or sale of merchandise prescribing the level on which gymnasiums used for public assembly may be placed prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act to further amend section two hundred fifty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the appointment by the District Attorney of any county of the sixth class having no assistant district attorney with the approval of the salary board of a special assistant attorney to aid in murder cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 730, on second reading, entitled:

An Act to create a fund from which loans may be made to Urban Redevelopment Authorities to facilitate Urban redevelopment conferring powers and imposing duties or certain State officials and boards and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act to add section four point one to and to further amend section eleven of the act approved the twenties day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing in certain cases for lesser pensions at the employe's or former employes option after fifteen but less than twenty years of service and contribution and defining "year of service" in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 776, entitled:

An Act to further amend sections four and fourteen of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses

of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen and which permitted examinations of physical fitness to be made by any licensed physician

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by further defining the duties for which compensation and expenses are payable

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, entitled:

An Act to further amend clause XXX of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing appropriations for insurance or compensation coverage upon special fire police killed or injured in the performance of their duties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 796, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by fixing the compensation and mileage of county auditors in such counties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 805, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county Commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the leasing and sale of properties by the Tax Claim Bureau authorizing county commissioners to purchase properties at certain tax sales and increasing the percentage charged by the county on moneys collected

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 813, on second reading entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations; regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units, conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

be recommitted to the Committee on Law and Order.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 830, entitled:

An Act to further amend clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising and consolidating and changing the law relating thereto" by further providing for assess-

ment of property for maintenance of lights on roads and highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 842, on second reading, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 843, on second reading, entitled:

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 851, entitled:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authoriing the supervisors to appropriate money towards nonprofit ambulance services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 852, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring all bonds issued by Authorities for the acquisition of real property to be of uniform priority lien and standing and prohibiting the delegation of managerial powers except to political subdivisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 860, entitled:

An Act to amend section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employes fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" by further prescribing the terms of the officers of the board of revision of taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 871, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships with the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 874, on second reading, entitled:

An Act to further amend subsection (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further conditions of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by requiring the registration commission to divide the county into registration centers and to provide registrars to sit therein for the registration of the electors in any borough town or township in the county

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 982, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by eliminating the Board of Fish Commissioners creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission and further prescribing its powers and duties

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 3 (Sec. 302), page 7, line 5, by striking out the word "four" and inserting in lieu thereof: "eight"; Amend Sec. 3 (Sec. 302), page 7, line 19, by striking out the words "one year" and inserting in lieu thereof: "two years"; Amend Sec. 3 (Sec. 302), page 8, line 1, by striking out the word "two" and inserting in lieu thereof: "four"; Amend Sec. 3 (Sec. 302), page 8, line 3, by striking out the word "three" and inserting in lieu thereof: "six"; Amend Sec. 3 (Sec. 302), page 8, line 4, by striking out the word "four" and inserting in lieu thereof: "eight"; Amend Sec. 3 (Sec. 302), page 8, line 7, by striking out the word "four" and inserting in lieu thereof: "eight".

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 986, entitled:

An Act to amend sections three hundred two three hundred three three hundred eleven and one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident hunter's license establishing a nonresident trapper's license and fixing the fee for the same increasing agents' compensation and providing for the use of certain amounts from resident license fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1022, entitled:

An Act to amend clause (d) of section five hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the antlerless deer abrogation petitions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and conation of House Bill No. 1043, entitled:

An Act to amend section four thousand two hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing cities of the third class to appropriate money for the support and maintenance of airdromes or aviation fields situate without the counties in which such cities are located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1048, on second reading, entitled:

An Act to further amend clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1049, on second reading, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1060, on second reading, entitled:

An Act to further amend clause (a) of section three hundred one clause (a) (b) (c) and (f) of section three hundred six and section three hundred seven and to amend section three hundred nine of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by changing the maximum and minimum rates and total amounts and aggregate of compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act to further amend subsection (a) of section seven of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further regulating appointments of members of the board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1186, entitled:

An Act to further amend section four and add section fourteen to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by effecting a change in the years of employment on which pensions are based; and by providing a method of paying service increments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to reenact and amend the act approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 135), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Mont-

gomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to reenact and amend the act approved the eighth day of May, one thousand nine hundred forty-seven (P. L. 181), entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania," by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 12, entitled:

An Act making an appropriation to the National Agricultural College, Farm School, Pennsylvania, at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 121, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining State employes and original members by extending the time until which employes of institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals may become contributors to the State Employes' Retirement Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 130, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the membership of certain State boards and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 265, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments,

boards and commissions shall be determined," by further regulating the distribution to the public of documents published by the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight, and of carrying out the provisions of existing laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 343, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 344, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion and retirement of enlisted members of the Pennsylvania State Police

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 374, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 410, entitled:

An Act to amend section four hundred forty-four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," reducing the minimum number of meetings to be held each year by the State Council for the Blind.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary, secondary and vocational schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 467, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the Pennsylvania Hospital Survey and Construction Act of 1947.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 469, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 470, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 477, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund and service requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 481, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 486, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia, Museum, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 487, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 492, enttiled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania for Medical education and research.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 493, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Public Building Construction Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to The Pennsylvania School for the Deaf at Mount Airy, Philadelphia, Pennsylvania, for the purpose of acquiring, installing, replacing and renewing certain equipment and machinery.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yoemen (female) and nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 505, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 506, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 507, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 509, entitled:

An Act to authorize the collection and preservation of scattered public records and manuscript materials of the Commonwealth by the Pennsylvania Historical and Museum Commission and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 513, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 514, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 543, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by regulating the publication of building code and zoning ordinances and the letting of contracts eliminating publication of the controller's financial report providing for its filing with the clerk of the court of quarter sessions and allowing appeal therefrom upon the filing of a bond and regulating the making and publication of an annual report and financial statement by the director of accounts and finance after approval thereof by the controller.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 624, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 0.4135 acres more or less situate in the Township of Franklin, County of Greene, formerly used by the Department of Highways, of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 629, entitled:

An Act to further amend the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powesrs and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section six hundred thirty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" empowering the Insurance Commissioner to refuse to renew licenses under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensnig qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies asso-

ciations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 638, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 641, entitled:

An Act to amend section eight hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies association and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the requirements for contingent premiums.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 644, entitled:

An Act to add section three hundred fifty-seven to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by prohibiting certain insurance companies from entering into contracts for additional compensation with their directors, officers and employes and requiring prior approval by the Insurance Commissioner of management and general agency contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 645, entitled:

An Act requiring companies and organizations subject to the provision of the act of June 11, 1947 (P. L. 538) or the act of June 11, 1947 (P. L. 551) or section 654 of the act of May 17, 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 646, entitled:

An Act to repeal the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 687) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies" in so far as the provisions thereof relate to the reincorporation or the merger and reincorporation of beneficial societies as stock companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business in this State providing for actions in this State against and for the service of process upon such insurers prescribing how a defense may be made by such insurers and providing for the allowance of attorneys fees in actions against such insurers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 649, entitled:

An Act to amend section twenty-nine of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by changing the basis for valuation determinations in certain respects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 650, entitled:

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 662, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction of building, space, purchase of equipment and the installation of such equipment for the School of Medicine of the University of Pittsburgh for the purpose of enabling the University of Pittsburgh to accommodate a fifty per cent increase in the number of students accommodated by the University for the study of medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 664, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for expenditure thereof, for the purposes of study and research in the development of the adaptation of the acid open hearth process, for the manufacture and improvement of steel, more particularly of special grades of steel.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 674, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges," by authorizing the Attorney General of the Commonwealth of Pennsylvania to issue to the prothonotaries of the courts of common pleas in the State of Pennsylvania his praecipe for the satisfaction of liens entered on the real estate of the land grant college of Pennsylvania under the provisions of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 736), and prescribing procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 681, entitled:

An Act making an appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 745, entitled:

An Act to add section two hundred eleven point one to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 818, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating or drinking places within this Commonwealth; defining public eating or drinking places; requiring their licensing; defining licensor; conferring certain powers upon the Department of Health of this Commonwealth and on the local health authorities; providing for appeals in certain cases and conferring jurisdiction in such cases upon certain courts; providing for summary proceedings for violations of this act; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 820, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by imposing upon counties a percentage of all public assistance costs and the powers and duties of administering public assistance through the county boards of assistance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 834. entitled:

An Act to reenact and amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act." by including in the plan certain dental services; defining "dental services" and further defining "medical services."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 835, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations amy be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provisions relating to nonprofit medical service corporations, by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corporations so as to include the furnishing of certain dental services to subscribers and their dependents, and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furnishing of such dental services by doctors of dental surgery.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 869, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of establishing and operating a poultry laboratory at the Pennsylvania State College and requiring the Poultry Industry to match the funds so appropriated.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 870, entitled:

An Act authorizing the court in any proceeding to establish paternity, to order the parties therein, to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 874, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth

and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further regulating resettlements and further providing for liens of taxes bonus penalties and other accounts and interest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 896, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for the classification of school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 898, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local opeion to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1046, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof by further regulating the refund for prepayment of instruments used in connection with such installment sales by further regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereo.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to adress the Senate.

Mr. HOLLAND. Mr. President, I have just received a release made by the Public Utility Commission of Pennsylvania, and I wish the gentleman from Philadelphia, Mr. Kephart, would listen. He made a statement today that he was very much interested in protecting the public in Philadelphia. He insisted that in a dispute of labor, it would be extended sixty days.

Mr. President, I want him to listen very attentively to this release, and then after I have read it, I will let the people of Philadelphia know how much interested he is in the public, and I quote:

"A new tariff, filed with the Public Utility Commission, by Philadelphia Electric Company increasing the gross revenues an estimated $9,587,541 annually will become effective April 18, 1941. The P. U. C. took no action to

prevent the increased rates from becoming effective on that date.

"Commissioner John B. Conly voted in the negative."

Mr. President, I ask the gentleman from Philadelphia, Senator Kephart, to join with me in a bill asking that this rate increase be suspended, the same as he has asked labor in industrial disputes, at least sixty days until someone representing the public of Philadelphia can go into this problem, and see if these atrocious rates that are now being placed upon the public of Philadelphia can be stopped.

Mr. KEPHART. Mr. President, evidently the gentleman from Allegheny, Senator Holland, doesn't realize that I have been one of the most severe critics of the Public Utility Commission.

Mr. President, I not only would be glad to join him on that bill, but he can include the taxicab rate increase in it, and maybe the P. T. C.

Mr. HOLLAND. Mr. President, a bill is now in the Senate which provides that the utilities of Pennsylvania base their rate making on the invested capital, and not the reconstruction costs, as the Philadelphia Electric based their plea before the Public Utility Commission.

Mr. WALKER. Mr. President, I did not quite follow the gentleman from Allegheny, Senator Holland. Did he accept the gentleman from Philadelphia, Senator Kephart, as a co-sponsor?

Mr. HOLLAND. Mr. President, I will be very glad to because I do not care whose name is on the bill. I really want to protect the public.

Mr. WALKER. Mr. President, I just wanted to know.

BILLS SIGNED

The PRESIDENT. (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 5, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties

Senate Bill No. 191, entitled:

An Act to further amend Section three of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for, and payment of such items.

Senate Bill No. 192, entitled:

An Act to further amend subsection A of Section one hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing investments in second liens in cases and under conditions herein specified.

Senate Bill No. 230, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" by excepting loans made under the National Housing Act.

Senate Bill No. 231, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by modifying limitations upon officers holding more than one office; permitting additional borrowing; permitting additional investment in property used in the transaction of business; broadening mortgage lending limitations; and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act.

Senate Bill No. 340, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

Senate Bill No. 432, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made.

Senate Bill No. 433, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of

the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue, and fixing penalties.

Senate Bill No. 531, entitled:

An Act to further amend section three hundred seventy of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" by authorizing the county commissioners, during the last fifteen days of any fiscal year, to transfer and reappropriate any county funds to the institution district.

Senate Bill No. 543, entitled:

An Act to amend section three hundred five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the state department of welfare and the state department of public assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property

Senate Bill No. 561, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets.

Senate Bill No. 565, entitled:

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget

Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia.

Senate Bill No. 769, entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 13, 1949, at 12:00 o'clock, M., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:59 o'clock, p. m., Eastern Standard Time, until Wednesday, April 13, 1949, at 12:00 o'clock, M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 12, 1949.

The House met at 12:00 o'clock noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Rev. William Hugh Fryer, offered the following prayer:

Almighty God, the fountain of all wisdom, who knowest our necessities before we ask, and our ignorance in asking; we beseech Thee to have compassion upon our infirmities; and those things which for our unworthiness we dare not, and for our blindness we cannot ask, vouch-

safe to give us, for the worthiness of Thy Son Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 11, 1949.

The Clerk proceeded to read the Journal of Monday, April 11, 1949. when, on motion of Mr. GRAYBILL, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Messrs. DENNISON and McMILLEN.

HOUSE BILL No. 1327.

An Act creating the Commission on Organization of the Executive Branch of the Government; providing for the membership of such Commission; prescribing its powers and duties; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 135.

An Act to amend section five and to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by waters from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" by abolishing the Schuylkill River Desilting Fund.

Referred to the Committee on State Government.

SENATE BILL No. 214.

An Act to amend the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," as heretofore amended and reenacted, by providing for creation and abolition of wards, for the detachment of territory, the election of councilmen, for the election of a banking institution as borough treasurer, for change in the fiscal year and for budgets, tax levies and audits necessitated thereby, for the acquisition and lease of lands and buildings for comfort stations and the appropriation of moneys for the acquisition of land for fire company purposes, for recognition of fire companies whose members are to be covered by Workmen's Compensation insurance, for the adoption of a plumbing code; empowering boroughs to prohibit junk yards and to make and regulate charges for the use of services and facilities; authorizing the use of general fund moneys for pension purposes; regulating contracts and sewer rentals; and clarifying and revising certain provisions of said act.

Referred to the Committee on Boroughs.

SENATE BILL No. 453.

An Act to add a new subdivision to article nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by providing for local unit road supervision and for permanent State aid to cities boroughs towns and townships and appropriating moneys of the Motor License Fund.

Referred to the Committee on Highways.

SENATE BILL No. 614.

An Act to further amend subsection seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes therof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to withdraw from the public school employes' retirement system in the event that such employes should become eligible for coverage and benefits under the old age and survivors' insurance provisions of the Federal Social Security Act by future action of the Congress of the United States.

Referred to the Committee on Education.

SENATE BILL No. 626.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making certain corrections and additions to conform to existing law and eliminating inoperative provisions.

Referred to the Committee on Education.

SENATE BILL No. 636.

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance of agents' licenses.

Referred to the Committee on Insurance.

SENATE BILL No. 670.

An Act to amend sections six hundred one, six hundred four, seven hundred one as amended, seven hundred two and seven hundred three, of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county,

borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by specifying dates with respect to the preparation and submission of assessment rolls, the inspection of such rolls, notices to taxpayers, appeals from assessments and hearings thereon, the certification of assessed valuations and the delivery of assessments to taxing districts.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 671.

An Act to amend section one hundred two, clause (a) of section three hundred six, clauses (b) and (d) of section three hundred seven, clauses (a) and (b) of section three hundred eight, clause (a) of section three hundred fourteen, clause (a) of section five hundred one, and sections six hundred one, seven hundred one and seven hundred three of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and investiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by authorizing counties to elect to become subject to said act; providing for the transfer of tax claims to the Tax Claim Bureau and for the determination of the validity of tax claims; changing dates for the return of property on which taxes are delinquent, for making up claims, for notice to delinquent taxpayers, for the period of redemption and for tax sales; providing when interest shall begin to run on returned taxes, and providing for the stay of tax sales by the court of common pleas.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 672.

An Act to amend section six, as amended, and section ten, clause (a) of section twenty-one and section twenty-six and to repeal section eleven of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing for notices to taxables, for discounts and penalties, for collection of taxes by suit, and for the settlement of tax duplicates; abolishing payment of taxes in installments; and regulating the collection, discounts, penalties, the settlement of duplicates and return and liening of unpaid taxes on real property for the temporary fiscal period from the first Monday of January, one thousand nine hundred fifty and ending June thirtieth, one thousand nine hundred fifty.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 673.

An Act to further amend section one and clause (a) of section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by changing the times for the return of delinquent taxes on real estate, for tax sales, and when interest shall begin to run.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 674.

An Act to amend sections four hundred one, four hundred forty-one, five hundred seven, five hundred fifteen and five hundred sixteen of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by changing dates for the issuing of precepts to assessors, for returns by assessors where optional assessments are made, for the completion of transcripts of assessments, and for the furnishing of duplicates

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 675.

An Act to amend section 1704 1705 1801 sections 1809 and 1811 as amended 2511 2515 2520 sections 2551 and 2557 as amended and 2576 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the fiscal year of cities of the third class providing for a temporary fiscal period to effectuate such change and regulating tax assessments levies budgets audits and financial reports of such cities

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 676.

An Act to amend sections three hundred forty-five, three hundred forty-six, three hundred sixty-three, three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing fiscal years of counties; providing for a temporary fiscal period to effectuate such change; and regulating budgets audits and financial reports

Referred to the Committee on Counties.

SENATE BILL No. 688.

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns.

Referred to the Committee on Highways.

SENATE BILL No. 691.

An Act to amend section seventeen point three of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending the retirement privileges of certain county officers.

Referred to the Committee on Counties.

SENATE BILL No. 735.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

Referred to the Committee on Liquor Control.

SENATE BILL No. 736.

An Act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court

Referred to the Committee on Liquor Control.

SENATE BILL No. 748.

An Act to amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by extending the power and duties of the Commission.

Referred to the Committee on State Government.

SENATE BILL No. 751.

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

Referred to the Committee on City and County First Class.

SENATE BILL No. 752.

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file or of record and the replacement and certification of originals previously filed and of records by officers of counties of the first class and of cities of the first class by photostatic photographic microphotographic microfilm or other mechanical process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced.

Referred to the Committee on City and County First Class.

SENATE BILL No. 760.

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2063) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing other duties upon such partnerships associations and corporations con-

ferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

Referred to the Committee on Insurance.

SENATE BILL No. 761.

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties.

Referred to the Committee on Insurance

SENATE BILL No. 762.

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporations companies banks trust companies insurance companies limited partnerships and partnership associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" as amended by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

Referred to the Committee on Insurance.

SENATE BILL No. 786.

An Act for the protection and conservation of shad in the Delaware River and Bay and their tributaries by regulating the take or catch thereof.

Referred to the Committee on Fisheries.

SENATE BILL No. 794.

An Act to further amend section seven of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by exempting from necessity of net quantity being marked thereon packages of bakery products.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 797.

An Act to further amend section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors and for mileage to persons furnishing transportation for transmitting returns and ballot boxes at primaries and elections.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 800.

An Act to amend section four thousand four hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appointments to fill vacancies from certified lists.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 803.

An Act to further amend clauses (c) and (d) of section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by permitting the judges of the County Court of Allegheny County to hear and determine criminal issues and matters in the Court of Quarter Sessions of the Peace in Allegheny County when called upon by the presiding judge of said court so to do.

Referred to the Committee on Judiciary.

SENATE BILL No. 815.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by permitting earnings or other income to supplement public assistance in certain cases.

Referred to the Committee on Welfare.

SENATE BILL No. 819.

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying the definition of State employe.

Referred to the Committee on State Government.

SENATE BILL No. 825.

An Act to further amend subsection (d) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by increasing the salaries of the chairman and members of the Pennsylvania Labor Relations Board.

Referred to the Committee on State Government.

SENATE BILL No. 841.

An Act to further amend paragraph (e) of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by exempting certain property held in the joint names of husband and wife.

Referred to the Committee on Judiciary.

SENATE BILL No. 850.

An Act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district.

Referred to the Committee on Judiciary.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 43.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations.

HOUSE BILL No. 45.

An Act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a State Authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation.

HOUSE BILL No. 173.

An Act to amend section two thousand one hundred twenty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the requirement that the amount of the contract shall be charged against the budget of more than one year where the contract extends for a longer period than one year.

HOUSE BILL No. 229.

An Act to amend section five hundred eleven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to appropriate monies for payment of medical and hospital expenses and accident insurance for participants in school athletics.

HOUSE BILL No. 487.

An Act to repeal subsection (v) of section one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the special fund for game lands

HOUSE BILL No. 572.

An Act to amend subsection (a) of section one thousand one hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of a filing system for rating cards in office of the county superintendent by boards of school directors in districts under his supervision.

HOUSE BILL No. 703.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

HOUSE BILL No. 709.

An Act to amend section nine hundred twenty-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing county boards of school directors to provide administer and supervise special services and superintendents and authorizing contracts with school districts not under the jurisdiction of a county superintendent.

HOUSE BILL No. 731.

An Act to amend section one thousand fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the employment of full-time supervisors of special education by certain counties and for payment of salaries of such supervisors.

HOUSE BILL No. 835.

An Act limiting the forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

HOUSE BILL No. 858.

An Act to amend section thirty-four subsection (1) of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by extending penalties already provided to unlawful disclosures of information contained in vital statistical records

HOUSE BILL No. 1001.

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

HOUSE BILL No. 1005.

An Act to amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing the boards of chool directors to add names to the tax assessment lists and tax duplicates

HOUSE BILL No. 1051.

An Act relating to and regulating the slaughtering of equine animals for animal feeding purposes and to protect the public health and the health of domestic animals and wild animals held in captivity providing for the licensing of such establishments and the cancellation of licenses defining the powers and duties of the Department of Agriculture and providing penalties.

HOUSE BILL No. 1257.

An Act to repeal certain provisions of and to add a new article eight of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by eliminating provisions for the acquisition of privately owned toll bridges jointly with counties and for the acquisition of intrastate bridges and tunnels by the State Bridge and Tunnel Commission and authorizing and empowering the Secretary of Highways with the approval of the Governor to construct bridges and approaches thereto to connect State highway routes under certain terms and conditions conferring the power of eminent domain for such purpose authorizing agreements with political subdivisions for sharing the property damage and construction costs authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction and making an appropriation.

HOUSE BILL No. 1258.

An Act to further amend section two hundred and two and to repeal sections four hundred forty-nine and two thousand ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" abolishing the State Bridge Commission and its functions

HOUSE BILL No. 1300.

An Act validating certain sales and deeds to real property heretofore made by cities of the third class in good faith under a mistake of law

HOUSE BILL No. 1301.

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations facts or circumstances.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS 883, 907 AND 909

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 883, Printer's No. 243, entitled "An Act validating special primary municipal and general elections when errors or omissions have been made in the preliminary requirements therefor or the conduct thereof Provided no action contest or suit has been instituted within one year from the date of any such election or other proceeding involving fraud or error instituted or pending."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 907, Printer's No. 394, entitled "An Act repealing certain acts and parts of acts relating to counties."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 909, Printer's No. 150, entitled "An Act to amend section two of the act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled 'An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties' empowering salary board to fix the number of deputies and their salaries."

JAMES H. DUFF.

ALSACE CONSOLIDATED SCHOOL WELCOMED

The SPEAKER. The Chair welcomes a delegation of students from the fifth grade History class of the Alsace Consolidated School, Berks County, under the supervision of their teacher, Mr. Rabena. They are the guests of the gentleman from Berks, Mr. Weidner.

REPORTS FROM COMMITTEES

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 95, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

Mr. FLEMING from the Committee on Appropriations, re-reported as committed, House Bill No. 103, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase, condemnation, lease or gift certain lands adjacent to the Daniel Boone Homestead property; providing for the maintenance and improvement thereof; and making an appropriation for the payment of the costs of such acquisition.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 364, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire, on behalf of the Commonwealth, certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement, and maintenance thereof; authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 378, entitled:

An Act making an appropriation to The Academy of Natural Sciences of Philadelphia to be used for salaries, supplies and equipment in providing certain services to the public, and for the purpose of the maintenance of the building of said academy.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 381, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 383, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. FLEMING from the Committee on Appropriations, re-reported as committed, House Bill No. 422, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River betwen a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

Mr. HEWITT from the Committee on Appropriations, reported as committed, House Bill No. 524, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the purpose of experimentation in the breeding of goats and investigation into the quality and uses of goat milk.

Mr. WOOD from the Committee on Appropriations, reported as committed, House Bill No. 567, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloisters, an important historical shrine belonging to the Commonwealth.

Mr. C. E. MOORE from the Committee on Appropriations, reported as committed, House Bill No. 670, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research, including archaeological excavations, pertaining to the activities and glass works of the famous Pennsylvania ironmaster, glassmaker and townbuilder (Henry William) Baron von Stiegel.

Mr. HEWITT from the Committee on Appropriations, re-reported as committed, House Bill No. 706, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State College for the improvement of the Livestock industry of Pennsylvania; and providing for and appropriating a revolving fund for such purposes.

Mr. WOOD from the Committee on Appropriations, re-reported as committed, House Bill No. 822, entitled:

An Act to further amend section thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdictions duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by providing for the supervision by the Pennsylvania Board of Parole of certain committed juveniles after their release upon the request of the court by which such juveniles were committed

Mr. STANK from the Committee on Appropriations reported as committed, House Bill No. 973, entitled:

An Act to authorize the publication by the Pennsylvania Historical and Museum Commission of the papers of the twentieth-century governors of the Commonwealth and providing an appropriation.

Mr. FLEMING from the Committee on Appropriations, re-reported as committed, House Bill No. 1032, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain members to obtain credit for military service who were not eligible members at time of entry into military service

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education; establishing within such Division a lending and exchange library of records, transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

Mr. FLEMING from the Committee on Appropriations, reported as committed, House Bill No. 1095, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania, known as "Old Economy."

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1120, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to develop a farmers' museum designating purposes of such museum, and making an appropriation.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1121, entitled:

An Act making an appropriation to the C. Dudley Saul Clinic of the Saint Lude's and Children's Medical Centre, Philadelphia, Pennsylvania, for the purpose of research concerning the care and treatment of alcoholics, the training of personnel, and the maintenance of patients.

Mr. HEWITT from the Committee on Appropriations, reported as committed, House Bill No. 1124, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction of a new Boy's Dormitory.

Mr. HEWITT from the Committee on Appropriations, reported as committed, House Bill No. 1125, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downington, Pennsylvania.

Mr. BOWER from the Committee on Appropriations reported as committed, House Bill No. 1325, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1326, entitled:

An Act making an appropriation to the Department of Welfare for the Maintenance of certain homes.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 516, entitled:

An Act transferring money from the Banking Fund to the General Fund.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1126, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1127, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 1129, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Labor and Iudustry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 1131, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1133, entitled:

An Act making a deficiency appropriation to aid certain school districts.

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

Mr. C. E. MOORE from the Committee on Appropriations, reported as committed, House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 1141, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the World War II Veterans' Compensation Act of 1947, and making an appropriation out of the World War II Veterans' Compensation Fund to reimburse the General Fund.

Mr. BOWER from the Committee on Appropriations reported as committed, House Bill No. 1142, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

Mr. CLARENCE E. MOORE from the Committee on Appropriations, reported as committed, House Bill No. 1195, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate and buildings and an endowment fund for the Warrior Run Church and Cemetery located in Northumberland County, Pennsylvania, and making an appropriation.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1219, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preparation and publication of a revised edition of "Frontier Forts," and for the collection and compilation of source materials for this purpose.

Mr. WOOD from the Committee on Appropriations reported as committed, House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association, to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart; to provide convalescent care and hospital treatment in such cases; and for renovation and equipment of real property.

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1310, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

Mr. CLARENCE E. MOORE from the Committee on Appropriations, reported as committed, House Bill No. 1321, entitled:

An Act making an appropriation to The General State Authority, to defray the costs and expenses of the said Authority in connection the organization, administration, and operation thereof.

Mr. LEISEY from the Committee on Appropriations, reported as committed House Bill No. 1323, entitled:

An Act making an appropriation to the Department of Property and Supplies to acquire certain tracts of land adjacent to Slippery Rock State Teachers College in Butler County, Pennsylvania with the approval of the Governor and the Board of Trustees of Slippery Rock State Teachers College.

Mr. LEISEY from the Committee on Appropriations, reported as committed House Bill No. 1324, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Mr. JUMP from the Committee on Cities—Third Class, reported as committed, House Bill No. 799, entitled:

An Act to amend section one of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108), entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; defining the powers and duties of of civil service commissions for such purposes; and fixing penalties," by eliminating the exception of the chief and deputy chiefs of fire departments from the operation of the act.

Mr. HOCKER from the Committee on Townships, reported as committed, House Bill No. 967, entitled:

An Act to add Section 1501.1 to the Act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An Act concerning townships of the second class and amending, revising consolidating and changing the law relating thereto" empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

Mr. SAX from the Committee on Judiciary, reported as committed, Senate Bill No. 30, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by changing the definition of the word court.

Mr. ORBAN from the Committee on Judiciary, reported as committed, Senate Bill No. 116, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 933) entitled "An act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class" by making the fees of registers of wills in counties of the fifth sixth seventh and eighth classes uniform.

Mr. ORBAN from the Committee on Judiciary, reported as committed, Senate Bill No. 117, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 963) entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class" by making the fees of clerks of the orphans' court in counties of the fifth sixth seventh and eighth classes uniform.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 234, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for the filing of supplemental statements giving notice of change of address and setting fees for filing such statements.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 235, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties by empowering the Secretary of State and the prothonotary to make an additional charge for entering the names of certain individuals on applications

Mr. ROBERTSON from the Committee on Judiciary, reported as committed, Senate Bill No. 262, entitled:

An Act relating to collection of taxes on real property limiting the time for commencing suit to enforce personal liability for such taxes.

Mr. BRANDON from the Committee on Judiciary, reported as committed, Senate Bill No. 273, entitled:

An Act to reenact the title and section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" as amended.

Mr. MINTESS from the Committee on Judiciary, reported as committed, Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first and second class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic microfilm or other mechanical process

and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

Mr. GLEMBOCKI from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 653, entitled:

An Act to amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled "An act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to certain cities.

Mr. ORBAN from the Committee on Judiciary, reported as committed, Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 666, entitled:

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards

Mr. MILLER from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 667, entitled:

An Act to amend section four hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by deleting the provisions which limit the number of wards in such cities.

Mr. ROBERTSON from the Committee on Judiciary, reported as committed, Senate Bill No. 711, entitled:

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocation school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

Mr. KRATZ from the Committee on Public Health and Sanitation, re-reported as committed, Senate Bill No. 721, entitled:

An Act to amend section three of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agnecy of the Commonwealth to carry into effect a project to correct the existing and prevent the furture silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting and dredging operations deemed inimical to the project.

Mr. O'DONNELL from the Committee on Judiciary, reported as committed, Senate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife as subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

Mr. EWING from the Committee on Ways and Means, reported as amended, House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 443), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further defining the right of the Department of Revenue to release liens for taxes, interests, penalties and other accounts due the Commonwealth.

Mr. SAX from the committee on Judiciary, reported as amended, Senate Bill No. 400, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and share-

holders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers, assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases.

Mr. TOOMEY from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 914, entitled:

An Act to further amend subsection (a) of section seven hundred thirteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribing fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for learners' permits

Mr. TOOMEY from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 950, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for the appropriation of part of all learner's permit fees to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire, on behalf of the Commonwealth, certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester, Delaware County, as a historical site; providing for the control, management, supervision, improvement, and maintenance thereof; authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 378, entitled:

An Act making an appropriation to The Academy of Natural Science of Philadelphia to be used for salaries, supplies and equipment in providing certain services to the public, and for the purpose of the maintenance of the building of said academy.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 383, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 524, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the purpose of experimentation in the breeding of goats and investigation into the quality and uses of goat milk.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 567, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloisters, an important historical shrine belonging to the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research, including archaeological excavations, pertaining to the activities and glass works of the famous Pennsylvania ironmaster, glassmaker and townbuilder (Henry William) Baron von Stiegel.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 973, entitled:

An Act to authorize the publication by the Pennsylvania Historical and Museum Commission of the papers of the twentieth-century governors of the Commonwealth and providing an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania, known as "Old Economy."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to develop a farmers' museum designating purposes of such museum, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act aking an appropriation to the C. Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre, Philadelphia, Pennsylvania, for the purpose of research concerning the care and treatment of alcoholics, the training of personnel, and the maintenance of patients.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1124, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction of a new Boy's Dormitory.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1125, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1325, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1326, entitled:

An Act making an appropriation to the Department of Welfare for the Maintenance of certain homes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act transferring money from the Banking Fund to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1127, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1129, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1131, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1133, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beninning June first, one thousand nine hundred forty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the first time. Ordered, To be transcribed for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the World War II Veterans' Compensation Act of 1947, and making and appropriation out of the World War II Veterans' Compensation Fund to reimburse the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1142, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate and buildings and an endowment fund for the Warrior Run Church and Cemetery located in Northumberland County, Pennsylvania, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1219, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preparation and publication of a revised edition of "Frontier Forts," and for the collection and compilation of source materials for this purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association, to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart; to provide convalescent care and hospital treatment in such cases; and for renovation and equipment of real property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1310, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and

other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1321, entitled:

An Act making an appropriation to The General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1323, entitled:

An Act making an appropriation to the Department of Property and Supplies to acquire certain tracts of land adjacent to Slippery Rock State Teachers College in Butler County, Pennsylvania with the approval of the Governor and the Board of Trustees of Slippery Rock State Teachers College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 799, entitled:

An Act to amend section one of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108), entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," by eliminating the exception of the chief and deputy chiefs of fire department from the operation of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto" empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and order and to connect properties of owners failing or neglecting to make connection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by changing the definition of the word court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 116, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 933) entitled "An act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class" by making the fees of registers of wills in counties of the fifth sixth seventh and eighth classes uniform

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 117, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 963) entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class" by making the fees of clerks of the orphans' courts in counties of the fifth sixth seventh and eighth classes uniform.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 234, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for the filing of supplemental statements giving notice of change of address and setting fees for filing such statements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by empowering the Secretary of State and the prothonotary to make an additional charge for entering the names of certain individuals on applications.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 262, entitled:

An Act relating to collection of taxes on real property limiting the time for commencing to enforce personal liability for such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 273, entitled:

An Act to reenact the title and section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first and second class authorizing the recording and copying of documents plates papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 653, entitled:

An Act to amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to certain cities.

And said bill having been read at length, the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 666, entitled:

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section four hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by deleting the provisions which limit the number of wards in such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 711, entitled:

An Act to further amend subsection (d) of section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by coun-

ties, county institution districts, cities of the third class, boroughs, towns, townships, certain school disricts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by stating under what circumstances sureties shall be discharged from liability.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife as subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SYMPATHY EXTENDED

The SPEAKER. The Chair regrets to inform the Members that the gentleman from Allegheny, Mr. Ewing, has just received word from home that his wife passed away suddenly in her sleep last night. The Chair knows that the gentleman from Allegheny, Mr. Ewing, has the sympathy of every Member of this House.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:
Mr. Tompkins for Mr. EWING, for the remainder of the week because of the death of his wife.

APPROPRIATION BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 182, entitled:

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts page 53 Act No. 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 183, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities for wards of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 525, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 696, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treaesury to be know as the World War II Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 931, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for purchasing preserving repairing and exhibiting Pennsylvania material

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the use of the Waters and Powers Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1123, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1132, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1138, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowmen of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1139, entitled

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and conconsideration of House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1231, entitled:

An Act promoting and assisting the study and teaching of Pennsylvania and local history in the schools by encouraging historical activities on the State and local level authorizing the Pennsylvania Historical and Museum Commission to cooperate with the Pennsylvania Fedreation of Historical Societies or with its constituent historical societies in a program of historical investigation and publication designed to preserve and make readily available the materials for such study and teaching and to stimulate study and writing on various phases of Pennsylvania's great past and to publish the results or such study and writing for the use of the schools and for public information and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,
The House proceedd to the first reading and consideration of House Bill No. 454, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education and district superintendents and repealing certain provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 861, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revnue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 862, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and cetifications by the Secretary of the Commonwealth of candidates for special elections

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 260, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. ELDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 480, entitled:

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh, and eighth class," by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds.

The first section was read.
On the question,
Will the House agree to the section?
Mr. VARNER offered the following amendments.

Amend Sec. 1 (Sec 1), page 2, line 19, by inserting a bracket before and after the word "deeds" and inserting immediately thereafter: "monthly report of."

Amend Sec. 1 (Sec. 1) page 2, line 20, by inserting a bracket before and after the words "fifty cents" and inserting immediately thereafter: "as required by the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," two dollars and fifty cents ($2.50)"

They were agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act to further amend subsection (f) of section thirty-eight of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifica- of electors and prescribing the powers and duties of citicens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotories sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by eliminating the serial number on the voter's certificate

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 912, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of pocitical subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this act or the regulations adopted thereunder and repealing certain acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 916, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to amend section four hundred five of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth, regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further defining the powers of local authorities as to children.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STUART. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1008, entitled:

An Act to further amend subsections (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Comomnwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of judges inspectors clerks and machine inspectors at primaries and elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1166, entitled:

An Act establishing a retirement system for fish wardens employed by the Board of Fish Commissioners providing for payment upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the administration of the State Employes' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. ROBERTSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1289, entitled:

An Act relating to the examination detention hearing commitment care treatment rehabilitation probation and discharge of any person who is not insane but who suffers from such conditions of emotional instability or of impulsiveness of behavior, or who lacks the customary standards of judgment, self-control and discretion or who fails to appreciate the consequences of his acts, or who combines any one or more of such conditions so as to render such person irresponsible and thereby dangerous to himself or to others; imposing certain duties on district attorneys, courts and the Department of Welfare in respect thereto; and providing for payment of maintenance costs and reimbursement in such cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 1, page 2, line 4, by inserting quotation marks before and after the word "Person."

Amend Sec. 1, page 3, line 2, by inserting after the word "acts" the following: "or"

Amend Sec. 1, page 3, line 5, by striking out the words "other persons" and inserting in lieu thereof "others"

Amend Sec. 1, page 3, lines 13 and 14, by striking out the words "the court of quarter sessions of the peace" in line 13, and all of line 14, and inserting in lieu thereof "any court of record having jurisdiction to hear and determine criminal charges and any court having jurisdiction of juvenile delinquents"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 2, page 3, line 15, by striking out the words "Inquiry Mandatory" and inserting in lieu thereof "When Charged with Criminal Acts"

Amend Sec. 2, page 3, line 18, by striking out the word "behavior" and inserting in lieu thereof "conditions"

Amend Sec. 2, page 4, line 1, by striking out the words "a petition requesting" and inserting in lieu thereof "and file a petition with"

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendment:

Amend Sec. 3, page 4, line 13, by striking out the words "Inquiry Discretionary" and inserting in lieu thereof "When not Charged with Criminal Acts"

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 5, page 6, line 11, by striking out the word "the" and inserting in lieu thereof "such"

Amend Sec. 5, page 6, lines 11 and 12, by striking out the words "being proceeded against pursuant to sections two or three of this act"

Amend Sec. 5, page 6, line 16, by striking out the words "at its discretion" and inserting in lieu thereof "in proper cases"

Amend Sec. 5, page 7, line 17, by striking out the word "the" and inserting in lieu thereof "such"

Amend Sec. 5, page 7, line 18, by striking out the words "proceeded against"

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendment:

Amend Sec. 6, page 9, line 19, by inserting after the part-word "cal" the following "and psychiatric"

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendment:

Amend Sec. 7, page 12, line 1, by striking out the word "person" and inserting in lieu thereof "individual"

It was agreed to.

The section was agreed to as amended.

The eighth to eleventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," changing the requirements necessary for a hotel to qualify under said act.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 13, by striking out the words "which have been defined by the board"

On the question,

Will the House agree to the amendment?

Mr. JOHNSON. Mr. Speaker, with reference to these amendments I ask the Members of the House to please vote in favor of these amendments.

It was agreed to.

The section was agreed to as amended.

The second section and title were seperately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 160, entitled:

An Act to further amend section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off

the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises

The first section was read.

On the question,

Will the House agree to the section?

Mr. STANK offered the following amendment:

Amend Section 1, page 6 by inserting between lines 11 and 12 the following: Provided, however, that nothing in this act shall prohibit any manufacturer from displaying any sign of any kind, printed, painted or electric, advertising any brand of malt, brewed or distilled beverages of his own manufacture on the roof of any building in which more than ten (10) offices are rented to tenants other than the lessee of the licensed premises.

On the question,

Will the House agree to the amendment?

Mr. STANK. Mr. Speaker, the advertising restrictions in the Liquor Control Law are meant to prevent unsightly and unfair advertising of products sold by retail licensees. However, this act would prevent a brewery from placing his sign on the roof of an office building in which a retail licensee is located, even if the licensee doesn't sell the product of the manufacturer. This amendment would simply prevent the manufacturer from advertising this product on the roof of a building on which a licensee is located, if there are at least ten other tenants.

I would ask the members of the House to support this amendment.

Mr. JOHNSON. Mr. Speaker, we have on our calendar on second reading what might be termed a package of liquor bills, one of which we have already passed on second reading and which is restricting the licensing of hotels.

The other two bills are in the nature of a restriction in one part of the bill and, shall I say, a letting down of the liquor restriction in the other portion of the bill.

This Senate bill 160 provides after the bill becomes law, that a retailer will be allowed to sell one hundred and forty-fluid ounces of beer to one customer at one time. Under the present law he can just sell seventy-two ounces or six bottles of beer, shall we say. If this becomes a law he will be able to sell twelve bottles of beer.

Attached to and made a part of the bill is a restriction against advertising of brands. The bill denies the right of advertising of any brand of liquor as set up in the bill It does, however, permit window displays not exceeding three hundred square inches in size, regardless of the cost of the window display. It also permits displays inside the premises, and that would be at the back bar, and limits the expense of that particular advertising to twenty dollars as an overall expense, or not to exceed ten dollars for each piece of advertising at the point of sale.

The reason for this restriction of advertising is, as Mr. Stank says, to do away with the guady advertising of brands of liquor or beer sold in Pennsylvania. It seems to be a very fine restriction to do away with these unseemly signs. There is nothing under the bill that will permit the owner of a tavern having a sign on his premises having his name on, John Smith, Tavern, or whatever it might be. He will also be allowed a sign in each window, not exceeding three hundred square inches in size, and he can pay any price he wants to for that particular sign.

Therefore, Mr. Speaker, this amendment which would permit a large sign on this particular roof of a building in which the licensee is placed is not in keeping with the spirit of the bill, and we therefore ask the Members to vote down the amendment.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for eight-one Members voting in the affirmative and one hundred nine Members in the negative, the question was determined in the negative, and the amendment was not agreed to.

The SPEAKER. The Chair now lays before the House the amendment offered by the gentleman from Philadelphia, Mr. Rosen.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 602), page 7, line 9, by inserting after the word "inches" the following "except temporary window displays"

On the question,

Will the House agree to the amendment?

Mr. JOHNSON. Mr. Speaker, the effect of this amendment,—I might go back and explain.

As I previously said, this bill would permit a window display of three hundred square inches, which would be a neon sign or any appropriate sign, regardless of cost. The effect of this amendment would be to permit an addition to this sign, a temporary window display to cover the window. May I say that this amendment denies and is not in keeping with the spirit of the bill, therefore, I would ask the House to vote down this amendment.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 200, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing lincense and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing the quantity of malt or brewed beverages to be sold by any manufacturer, distributor, importing distributor or retail dispenser; further regulating advertisements allowed on and about licensed premises.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act to further amend clause one of section three and clause two of section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 463, Printer's No. 266

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation, and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired, receiving survivor annuities or State compensation under the Public School Employes Retirement System.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 522, Printer's No. 271

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 212, as follows:

An Act to further amend section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain children placed in foster homes by the court eligible for assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended by adding thereto a new clause (f) to read as follows

Section 9 Eligibility for Assistance

* * * * *

(f) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or childrens homes maintained by a county institution district

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Breth,	Harney,	Moore, C. E.,	Spencer,
Brice,	Harris,	Moore, H. A.,	Stank,
Brown, H. S.,	Haudenshield,	Moran,	Sternberg,
Brown, W. E.,	Heatherington,	Munley,	Stimmel,
Brunner,	Helm,	Murray,	Stuart,
Bucchin,	Herman,	Musto,	Swope,
Cadwalader,	Hersch,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Felton,	Kolankiewicz,	Propert,	Wood,
Ferster,	Kondrath,	Readinger,	Worley,
Filo,	Kratz,	Reagan,	Yaffe,
Firmstone,	Kurtz,	Reese,	Yeakel,
Flack,	Lederer,	Reidenbach,	Yester,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,	Limper,	Robbins,	Sorg,
Frost,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOODLING,

The House resumed the consideration on final passage of House Bill No. 526, as follows:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulations of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Wherever used in this act unless the context clearly determines otherwise the following words and phrases shal have the meanings ascribed to them in this section

(1) "Board" the Pennsylvania State Apple Board created by this act

(2) "Fund" the Apple Promotion Fund created and established by this act

(3) "Person" individual partnership limited partnership association corporation cooperative and business trust

(4) "Producer" every person engaged in the business of growing producing and harvesting apples and selling apples or apple products

Section 2 (a) There is hereby created within the Department of Agriculture a board to be known as the Pennsylvania State Apple Board The board shall be composed of seven members representing as nearly as possible all the important apple producing sections of the Commonwealth In addition the Secretary of Agriculture and the Secretary of Commerce shall be ex officio members of the board

(b) The Pennsylvania State Horticultural Association shall submit to the Governor as often as may be necessary an dwithin thirty (30) days after the effective date of this act for the original appointments nominations for appointment to such board the number of which nominations shall be at least twice the number of appointments to be filled The Governor shall make all appointments from such nominations submitted unless the Pennsylvania State Horticultural Association shall fail to submit nominations and in such event the Governor shall make appointments of bona fide apple producers Vacancies in the membership of the board shall be filled in like manner

(c) Appointments to the board shall be for terms of four (4) years except in the case of the appointment of the original membership which shal be as follows one member for one (1) year two members for two (2) years two members for three (3) years and two members for four (4) years Appointments to fill vacancies shall be for the unexpired terms.

(d) The board shall elect one of its membership as chairman and one as vice-chairman who shall serve in the chairman's place in his absence

Five members shall constitute a quorum for the conduct of its business

(e) The members of the board shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

(f) The Attorney General shall furnish the board with such legal services as it may require

(g) Except as otherwise herein expressly provided the board shall be subject to the provisions of The Administrative Code of 1929 its amendments and supplements which apply generally to independent administrative boards

Section 3 The board shall have the following powers and duties

(1) To conduct scientific research to develop and discover the health food therapeutic and dietetic value of apples and apple products

(2) To plan and conduct educational advertising publicity sales promotion and research campaigns for the purpose of increasing the use and demand for apples

(3) To make and execute contracts

(4) To spend the moneys in the fund

(5) To investigate and ascertain the needs of apple producers the condition of their markets and the extent to which public convenience and necessity require advertising and research to be conducted

(6) The board shall have authority to cooperate with other state regional and national agricultural and horticultural organizations and State and Federal agencies in research on production packages and marketing advertising publicity education and other means of promoting the sale and use of apples and to expend moneys of the Apple Promotion Fund for such purposes

(7) To appoint an Executive Secretary and such other employes as may be necessary and to fix their salaries subject to the provisions of The Administrative Code of 1929 its amendments and supplements

(8) To delegate to its chairman vice-chairman or any

of its members or employes such powers and duties as it deems proper

(9) To cooperate with all branches of State county and municipal governments the Pennsylvania State College and trade or business associations to achieve the purposes of this act

(10) To register producers and collect the fees and fines provided by this act

(11) To make alter rescind and amend rules regulations and orders necessary to carry out its powers and duties

(12) To enforce through its authorized agents the provisions of this act

(13) To accept and dispose of gifts of real and personal property to carry out the purposes of this act

(14) To do all other acts necessary to administer this act and effectuate its purposes

Section 4 There is hereby levied on all commercial apples grown in Pennsylvania and moved into the channels of commerce beginning with the harvest of one thousand nine hundred forty-nine a tax of one cent ($.01) per bushel Such tax shall be paid by the producer of such apples at the time and in the manner hereinafter provided The first five hundred (500) bushels of apples sold by any person in any one crop season shall be exempt form the provisions of this section.

Section 5 Every producer of commercial apples shall submit to the board not late rthan fourteen (14) days after December thirty-first of each year a signed statement of all apples sold by him between July first and December thirty-first of said year Such reports shall be made on forms prescribed and furnished by the board Any producer who sells apples of the preceding year's production after December thirty-first shall file a signed statement with the board not later than June thirtieth showing such apples so sold by him and the tax paid thereon

Section 6 The tax levied by this act shall be due and payable as follows Fifty per cent (50%) not later than December thirty-first of each year and the balance not later than June thirtieth of the following year Any commercial apples of a crop season which are sold after June thirtieth of the following year shall be reported to the board and the tax paid thereon within twenty (20) days after the end of the month in which such sale was made Such tax shall be paid to the Pennsylvania State Apple Board and the board shall promptly pay said moneys to the State Treasurer who shall promptly pay them into the State Treasury to the credit of the Apple Promotion Fund

Section 7 The producer shall keep a complete record of apples sold by him and shall preserve such recard for a period of not less than two (2) years from the time such apples are sold Such records shall be open to the inspection of the board and its duly authorized agents

Section 8 The tax imposed by this act and unpaid on the date on which such tax was due and payable shall bear interest at the rate of one per cent (1%) per month from and after such due date until payment If any producer defaults in any payment of the tax or interest thereon the amount shall be collected by civil action in the name of the State of Pennsylvania at the relation of the board and the person adjudged in default shall pay the cost of such action The Attorney General at the request of the board shall forthwith institute action in the proper court for the collection of the amount of any tax past due under this act including interest thereon

Section 9 All moneys levied and collected under the provisions of this act shall be credited on the State Treasurer's books to a fund to be known as the "Apple Promotion Fund" which is hereby created All moneys credited to the Apple Promotion Fund are hereby appropriated by the Legislature for the purpose herein set forth and shall be used exclusively for the administration and enforcement of this act including the collection of taxes the payment for personal services and expenses of employes and agents of the board and the payment of rent service materials and supplies necessary to effectuate the purposes and objects of this act The unexpended balance of the Apple Promotion Fund at the end of each biennium shall not be transferred to the General Fund of the State Treasury

Section 10 Any person who violates any provisions of this act or any rule or regulation of the board promulgated hereunder for a first offense upon summary conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than thirty (30) nor more than sixty (60) days and for any subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one (1) year or both

Section 11 All fines imposed and recovered for violations of this act shall be paid to the board and all such moneys and all moneys collected from fines or otherwise acquired shall be paid by the board into the State Treasury through the Department of Revenue and deposited in the fund

Section 12 It shall be the duty of all State and county law-enforceing officers to assist in the enforcement of this act

Section 13 If any clause sentence or section of this act shall for any reason be adjudged by a court of competent jurisdiction to be invalid such adjudication shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence or section of this article directly involved in the controversy in which said adjudication shall have taken place

Section 14 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania State Apple Board for the fiscal biennium one thousand nine hundred forty-nine one thousand nine hundred fifty-one (1949-1951) to carry out the provisions of this act All moneys expended by the board from such appropriation shall be repaid to the General Fund out of moneys available in the Apple Promotion Fund and for such purpose moneys in such fund are hereby appropriated

Section 15 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—135

Amarando,	Good,	Loftus,	Sax,
Andrews,	Goodling,	Madigan,	Schmidt,
Bane,	Graybill,	McCullough,	Scott,
Bednarek,	Green,	McGee,	Shoemaker,
Bloom,	Greenwood,	McMillen,	Smith, C. O.,
Bomberger,	Greer,	Mikula,	Smith, W. B.,
Bower,	Guthrie,	Milliken,	Snider,
Brandon,	Hagerty,	Mills,	Spencer,
Breth,	Hall,	Mintess,	Stank,
Brice,	Hamilton,	Monroe,	Sternberg,
Brown, H. S.,	Harney,	Moore, C. E.,	Stimmel,
Brown, W. E.,	Haudenshield,	Moore, H. A.,	Stuart,
Brunner,	Heatherington,	Moran,	Swope,
Clendening,	Helm,	Munley,	Tahl,
Coleman,	Hewitt,	Nagel,	Thompson,
Conway,	Hoffman,	Najaka,	Tompkins,
Cooper,	Hoggard,	Needham,	Toomey,
Costa,	Hunter,	Neff,	Varner,
Dalrymple,	Jenkins,	O'Dare,	Wachhaus,
DeLong,	Johnson,	O'Donnell,	Wagner,
Dennison,	Jones, G. E.,	Orban,	Waterhouse,
Depuy,	Jones, J. M.,	Penglase,	Watkins,
Dougherty,	Jump,	Pentrack,	Weidner,
Driscoll,	Kamyk,	Peta,	Weiss,
Elder,	Keller,	Pettigrew,	Wescott,
Felton,	Kemp,	Propert,	Wheeler,
Ferster,	Kent,	Readinger,	Worley,
Flack,	Kline,	Reagan,	Yaffe,
Fox,	Kohl,	Reilly, J. M.,	Yeakel,
Frost,	Kurtz,	Reynolds,	Yester,
Gallagher,	Lee,	Riley, R. L.,	Yetzer,
George,	Leisey,	Robbins,	Young,
Gibson,	Leonard,	Robertson,	Sorg,
Glembocki,	Limper,	Rose,	Speaker

NAYS—52

Barkdoll,	Guarnieri,	Miller,	Royer,
Beaver,	Harris,	Murray,	Sarraf,

Boles,	Hocker,	Musto,	Schuster,
Breisch,	Jennings,	Nixon,	Seyler,
Bucchin,	Jim,	Petrosky,	Sollenberger,
Cadwalader,	Kirley,	Pfaff,	Taylor,
Clapper,	Kolankiewicz,	Posta,	Varallo,
Cochran,	Kondrath,	Price, H. W., Jr.,	Verona,
Cole,	Kratz,	Price, R. A.,	Wargo,
Erb,	Lederer,	Reese,	Welsh,
Filo,	Lovett,	Reidenbach,	Westrick,
Firmstone,	McNally,	Rosen,	Williams,
Fleming,	Mihm,	Rovansek,	Wood,

NOT VOTING—21

Altshuler,	Evans,	Herman,	Olsen,
Baumunk,	Ewing,	Hersch,	Polen,
Blair,	Floyd,	Krise,	Powers,
Boorse,	Frank	McCormack,	Scanlon,
Duffy,	Gaffney,	McKinney,	Ziegler,
Dye,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 669, as follows:

An Act authorizing and empowering certain police officers to make arrests on Sunday under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sheriffs deputy sheriffs constables members of the Pennsylvania State Police or other police officers vested with authority of arrest are hereby empowered and authorized to arrest on view on Sunday or any other day without warrant any person violating any of the provisions of the Penal Code or criminal laws of the Commonwealth of Pennsylvania relating to gambling gambling establishments or gambling devices

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 718, Printer's No. 576

was passed over at the request of Mr. O'Dare.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 803, as follows:

An Act to amend sections one thousand twenty-one one thousand twenty-two and one thousand seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the term of office of county superintendents and district superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand twenty-one one thousand twenty-two and one thousand seventy-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1021 Election Every [four (4)] six (6) years there shall be elected as herein provided in every county in this Commonwealth a person to be known as the county superintendent

Section 1022 Time and By whom elected Term of Office The school directors of all of the school districts that do not have a district superintendent of each county in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and fifty (1950) and on the same day of every [fourth] sixth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for [four] six (6) years from the first Monday of July next following and fix his annual salary

Section 1073 Manner of Election Change of Class of District The board of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred fifty (1950) and on the same day of every [four years] sixth year thereafter at an hour previously fixed by the board the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for [four] six (6) years from the first Monday of July next following his election

The term of office or commission of a district superintendent or assistant district superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter a class of districts for which there is no provision for a district superintendent or assistant district superintendent and such superintendent or assistant district superintendent shall continue to serve such district for the term of his office or commission

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. REAGAN. Mr. Speaker, we have a bill before us today, increasing the term of our county superintendents. I have no quarrel at all with our county superintendents. They are a fine group of educators, and in my county I think we have one of the finest county superintendents who has ever been elevated to that office.

However, in electing these gentlemen to a six year term we are creating a precedent. Our constitution in most every case indicates that an elective office in this state shall be for four years. Of course, judges are given ten years, but we all understand the reason for that. Likewise, our United States Senators have six year terms but that is because the federal Constitution allows them that term of service. But generally speaking all the elective offices of the state and in the counties and in the townships are for a period of four years. Is it wise for us to change that custom?

As I said before it creates a precedent. How many more officers, if this measure is successful, will come before us and ask that their term of office be increased, or that their tenure of office be increased? I do not know nor do I wish to pose as a prophet, but I believe if we do increase this tenure for the county superintendents, we will find many county officers, and even state officers, coming in here and asking that their term of office too be increased.

Mr. Speaker, I have heard the argument that the county superintendent does not have time to get his program started in four years, and yet our Governor has to start his program and wind it up in four years. He doesn't even have a second chance to complete his program which he started in the first four years. It seems to me that these county superintendents, if they have a good program, ought to be able to get it under way in four years. The argument is also true that in four years they may not be able to do as well as they hoped, but likewise they hope that they can complete as much as possible of the program. I understand that they wish to be relieved in a measure by this bill of the difficulty they have in marking pupils' papers. Later on this comes up to bother them when they come up for reelection. The same applies to teachers. But gentlemen, the teachers do not elect the county superintendents and I cannot see any strength in that argument.

Therefore, gentlemen, in considering the precedent which this establishes and the difficulties it may bring to us in the future, getting away from the time honored custom and from the method which is clearly indicated by the constitution, I suggest, gentlemen, that you hesitate a moment and think whether we are doing the right thing in passing this bill.

MR. LOVETT. Mr. Speaker, first of all I would like somebody, either the sponsor of the bill or somebody who is particularly interested in this piece of legislation, to get up and give us some good reason why we should increase this term of office to six years, the term of office of the county superintendent or the district superintendent. If they will get up and tell us a good reason why this should be increased, I might vote for this bill. If they do not I will have to agree with my friend on the other side that it is not a good piece of legislation.

Mr. POSTA. Mr. Speaker, being a school director I am very much interested in this bill. This bill involves not only the county superintendents, but also the district superintendents. The county superintendents are elected by the school directors in the county, and district superintendents are elected by the school boards of their own independent districts. They are elected for a period of four years begining in May, and I think that when we elect a superintendent for a period of four years, that gives that superintendent time enough to prove that he is capable of doing his job for which he is elected, and gives the board of education a chance to know whether they wish to reelect this man for another term of four years. If this man is forced upon them, this superintendent through political pressure, then it gives that board of education a chance to dismiss him and hire a new superintendent after four years, and not have somebody forced on them for a period of six years.

Therefore, I think we should vote against this bill as it is a bad piece of legislation. We here are elected for a period of two years, or one session, and we are supposed to go back home and tell the people out in the state what we did. These superintendents are elected for four years and they can form a program and prove to the members of the school board in that time whether they are successful in their job or not, and I think we should oppose the bill as it is, and give them a four year term but not extend it to six.

Mr. SOLLENBERGER. Mr. Speaker, relative to House Bill 803, it deals with both county and district superintendents. That first part of it is clear. The second factor is I believe that the school law says the school directors are elected for a period of six years. That is what this bill calls for for the superintendents.

Then a third factor, which is a financial one, is in a period of twelve years there would be two elections under this bill and not three, which would be a saving of the county convention for the election of superintendents of thirty-three and one-third percent.

The fourth factor is that in the first class cities I think those superintendents are appointed for six years, and this would be in line with the first class cities. Now, it

may be possible to say, when we think in terms of our election for two years, and state Senators for four years, Congressmen for two years, that on the other hand we can argue in regard to judges for ten years and judges for twenty-one years and justices for life, upon good behavior. That would likely clear that argument.

Mr. Speaker, one of the preceding speakers mentioned about the program initiated by the superintendent, whether he was county or district superintendent. The argument does not lie in the fact that he initiates a program. It is how long will it take him to carry out a program which might be and generally is most helpful to the schools. We must not forget that a program that is initiated by the superintendent is carried out under the new school law. It is always known to the public, and therefore doing the work that he is assigned to do and should do for the welfare of the boys and girls, he has often times much opposition.

Now, I agree, Mr. Speaker, with one of the speakers, if in the period of six years he could not carry out a reasonable program, proving to the populace that his program is a good one, then the program is wrong or he is inefficient in handling that program. I think anyone who knows anything about schools would definitely understand that four years is a rather short number of years to put into effect and prove to the public that a good school program is now their district and operating in their schools.

I believe the last argument we had for this bill would be that since 1937 the superintendent, whether he be county or district, is under a terrific pressure because of the teacher situation. In 1939 we amended the tenure act and put into law the rating card. That rating card is a very good thing but the effect negatively lies largely with the superintendent as far as the public is concerned and so far as the teaching force is concerned. Remember, that a superintendent must act according to his opinion of the efficiency of the teachers, and to tell the truth it is most embarrasing many times but that is what he is supposed to do. If he has to rate and does rate the teacher, and there are many times some are not as high in their efficiency and their professional status as others, then that starts trouble; the public and the school board hear the one side and the superintendent knows the other side, and thus he must, according to law and according to his oath of office, render a decision, many times against a teacher, not because he wants to, but because it is his duty. That means that trouble starts for him in doing his work. If he has a reasonable number of years he can prove in most instances that he was right in his position, but suppose this happens just a year or two years from the beginning of his term, when the term is just fifty per cent completed, that means that he may not be able to receive a sufficient number of votes to be re-elected on his good work, not on his poor work, for the welfare of the school as he sees it, not upon his personal opinion of individuals.

Those are my ideas as to the reasons for this bill. I believe they are valid according to the thinking of the school people, according to the thinking of a lot of the board of directors and a lot of the public. Naturally, there may be another side. It depends upon how you interpret it, what is the efficiency and what is the professional manner of handling school problems, as a superintendent must see it?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the gentleman has referred to the fact that the school directors were elected for six years, is that correct?

Mr. SOLLENBERGER. Yes, Mr. Speaker, I think that is in the law.

Mr. LOVETT. Mr. Speaker, the gentleman gave that as a reason why superintendents should be elected for six years, is that not a fact?

Mr. SOLLENBERGER. No, Mr. Speaker, I did not. I replied to the statement of one of the preceeding speakers as to the four year term. I don't know what he said, but that statement was made and I wanted to clear up that point. I have no opposition to school directors. That is not the point at issue.

Mr. LOVETT. Mr. Speaker, in other words, the gentleman from Blair made the statement in connection with the fact that the school boards are elected for six years and then the county superintendents or the district superintendents should be elected for six years is that correct?

Mr. SOLLENBERGER. Mr. Speaker, I did not say that because one was elected the other should be. I argued that the superintendent should, and I tried to bring the right impression as to the length of term of the school boards, which was another issue, and I did not connect the two, because one was elected for six years, that the other should be elected for six years.

Mr. LOVETT. I thank the gentleman. Mr. Speaker, can the gentleman from Blair give any information to this House that county superintendents and the district superintendents have not been re-elected after their four year term?

Mr. SOLLENBERGER. Mr. Speaker, I do not believe that the gentleman's question is clear. I don't know what the gentleman has in mind. There have been those who have been re-elected and those who were not re-elected, but I do not believe that is what the gentleman is asking.

Mr. LOVETT. Mr. Speaker, the question I am asking is, in the majority cases in the state of Pennsylvania in relation to county superintendents, is it not a fact that most of them have been serving for a least twenty years, under the present form of election?

Mr. SOLLENBERGER. Mr. Speaker, I doubt if the number of years is that high, but so far as several terms or two terms is concerned, I would say that is true.

Mr. LOVETT. Mr. Speaker, that they have been re-elected for several terms?

Mr. SOLLENBERGER. I think that is correct, Mr. Speaker.

Mr. LOVETT. The gentleman also stated that since 1939, due to the teacher's tenure act, the county superintendents and the district superintendents find themselves in trouble when they do their duty in regard to the teachers. Therefore, it is difficult for them to be re-elected—is that right?

Mr. SOLLENBERGER. Mr. Speaker, I believe I said that many times he finds himself in trouble in being re-elected because of his rating a teacher as he believes he or she should be rated. I think that is true. I know many times they had to build a lot of fences because they must

carry out those functions, even at election time. I believe that is the record and not imagination.

Mr. LOVETT. Mr. Speaker, would the gentleman from Blair state to this House that since 1939 a number of the county superintendents and the district superintendents have not been re-elected since that time?

Mr. SOLLENBERGER. No, Mr. Speaker, I do not believe that I will be able to name numbers. I wouldn't name names, either on non-reelection or on trouble, but it has been done.

Mr. LOVETT. Mr. Speaker, then would the gentleman from Blair be fair and say that if the county superintendents and the district superintendents have been reelected since this act of 1939, as a whole, then, it is not a good argument for changing the law?

Mr. SOLLENBERGER. Mr. Speaker, I think the gentleman from Westmoreland has inserted a phrase there that permits me to say that I cannot agree with his statement as a whole, but in general I believe that they have been reelected, but by no means, by a full vote or a unanimous vote, but they were reelected by a majority vote or they would not have been reelected, and that often times does not call for good relationship between the superintendent and those who feel that he should not be reelected, which must be a minority, of course.

Mr. LOVETT. Mr. Speaker, did the gentleman say that regardless of whether we made the term of office six years, that they have the same problems, that those same problems may not happen in the fifth year?

Mr. SOLENBERGER. Mr. Speaker, I believe that those problems would be much less, for the simple reason that the superintendent would have more of a chance in six years to prove his efficiency and his actions than he would in four years, under two conditions; first, the rating of the teacher that was not a high rating, and secondly the operation of the program.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, two years ago we had a bill to put the county superintendents under teacher's tenure. We defeated that bill two years ago. Now, we have a bill to increase the number of years that the county superintendents shall serve. Now, I find no fault with the county superintendents nor the district superintendents, but the statistics prove that in a large percentage of cases, the county superintendents have continued to serve for several terms and the district superintendents have consistently served, if they so wished to serve.

In this day and age, when the younger class of our people are now going to school and being educated, I cannot find any reason why we should secure these people in office for a period of six years, if in a four year term they cannot establish their reason for being reelected; we are only stopping progress for our younger people who are coming on. Therefore I can see no good reason and nobody has stated on this floor today that the county superintendents or the district superintendents in the majority of cases have not been reelected by the school directors throughout the state, and I think we should defeat this bill.

Mr. ANDREWS. First of all, Mr. Speaker, I want to express my gratification, personal gratification, that Congressman Brown has been able to return to his place in the Chamber.

Regarding the bill at hand, I think we will find, if we think about it at all, that six years is a long time to spend finding out that a man is no good. We would also discover if we think about it, that four years is a sufficient time in which to discover that a man is good, and having discovered that he is good in four years, we elect him for four years more. By that method we never get stuck for six years with a man that is not capable to fill the position.

Mr. CLAPPER. Mr. Speaker, I would like to make a brief statement concerning this bill. As most of the Members of this House know, the educational system in the state of Pennsylvania and in the nation as a whole is on the verge of facing a national crisis, unless some moves are made that will benefit the educational system.

I am not a superintendent of schools and I am not an assistant superintendent of schools, nor do I have any aspirations to serve as one. But I do rise at this moment in behalf of the boys and girls of Pennsylvania and ask that the Members of this Legislature cast a favorable vote for this bill this afternoon.

As several of the gentlemen have just said, no statement has been made that would tell them that this is a bill that should receive their support. I would like to bring out a couple of things which I think might be a help to them.

Many of you know that every board of school directors in every township in the state of Pennsylvania has their problems. I do not believe there is a single board that would deny this statement.

There are many cases where the board of education goes to the county superintendent for his help. It happens time and time again. I know of no man who is more willing to offer aid than the county superintendent of schools, but I would like to inform the Members that every time a new superintendent changes position, he has the problem of acquainting himself with the new district. In a term of four years, it is only natural that the superintendent of our schools would become acquainted with the problem of every board of education, and from that time on he is willing to give them more efficient help. If a new man is to come into the position at the end of every four years and he is inclined to run again, then as a result the board has to suffer, not only the board but the taxpayers of the district, and the boys and girls of the state of Pennsylvania because there is no time when we owe more allegiance to them than at this very moment. I say to the Members of the House that as for myself having been in the teaching profession for twenty years, I say that any time a new county superintendent is placed into a district, there is a new experiment, a new period of experimentation and if we are to teach boys and girls the leadership that is so necessary to cope with the affairs of the world today, I think that it is time that you consider giving them that stalwart leadership that will help them in their problems.

I might also say, Mr. Speaker, when a new superintendent comes in, a new pattern of work is set up for every teacher, and as a result the whole educational system in the county is started over anew. I think it is time that this period of experimentation should cease and that we awaken ourselves to the fact that we must give to our state and to our people that system of education that will help us and send forth leaders who will cope with the problems of the world today and will establish such a

system of education that we can depend upon, and that we must not change hands at every turn of the road.

Mr. NAGEL. Mr. Speaker, I hesitate to rise at this time in opposition to this bill. I say I hesitate lest I might do something or might say something that would impair the efficiencey of the teaching of the young people in our great state. But after studying this bill and considering it from all sides, I have definitely concluded that this is a piece of legislation that is not needed.

I have observed for years and I have seen perhaps more of it during this session than any other, where groups are coming in for appropriations, for increased pensions, for increases in other lines of pay, and then for extension in terms of office. We have had a number of those bills before us and the time has come when we must call a halt on some of these things.

It is going to become necessary in the near future for the Commonwealth to build around this Capital a wall one hundred feet high to keep out lobbyists and perhaps censor all incoming mail so that the Members of this House and the Senate may consider in their own individual judgement the merits of any piece of legislation that may be proposed from time to time.

It is time for us to stop, look and listen. So far as efficiency is concerned I contend that a four year term for a county superintendent or a district superintendent is ample time for the people of his district or community to determine what his real worth is in the field of being an educator. If he has none it is high time that he be dismissed.

I want to cite one county in this state, and that is the great county of Beaver from which I come. There we have had a county superintendent for a number of years. I have heard no complaints about him. He has served for many years and I doubt if he could be defeated if he comes up for re-election when his term expires. This is none other than Mr. Davison, a man who is working for the interest of the schools and who is working for the interest of our Commonwealth.

I say to the Members of the House, consider well. If two years is a sufficiently long term for the men who make the laws of our state, certainly four years ought to be considered ample time for a county superintendent or district superintendent to demonstrate whether or not he has the ability and can serve the people to their best interests. I am not asking you to vote in any particular way. I am voting against this bill, but I do ask you to use good judgement and consider well this tendency to get more for each special group. Consider that well before we come to the time when we shall rue the actions we have taken perhaps in this very measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Bane,	Gibson,	Miller,	Sax,
Bednarek,	Glembocki,	Milliken,	Schmidt,
Bloom,	Greer,	Mills,	Schuster,
Boles,	Guthrie,	Mintess,	Scott,
Breisch,	Hall,	Monroe,	Smith, C. C.,
Brown, W. E.,	Hamilton,	Moore, H. A.,	Snider,
Brunner,	Harney,	Munley,	Sollenberger,
Clapper,	Heatherington,	Murray,	Stuart,
Clendening,	Helm,	Musto,	Tahl,
Cochran,	Herman,	Najaka,	Thompson,
Cole,	Hewitt,	Needham,	Toomey,
Conway,	Hoffman,	Neff,	Varner,
Cooper,	Hoggard,	Nixon,	Wachhaus,
Costa,	Jennings,	O'Dare,	Wagner,
Dalrymple,	Jim,	O'Donnell,	Wargo,
Depuy,	Johnson,	Orban,	Waterhouse,
Driscoll,	Jump,	Petrosky,	Weiss,
Dye,	Keller,	Polen,	Wescott,
Erb,	Kemp,	Price, R. A.,	Williams,
Felton,	Kline,	Price, H. W., Jr.,	Worley,
Ferster,	Kohl,	Reese,	Yaffe,
Filo,	Kolankiewicz,	Reidenbach,	Yeakel,
Flack,	Kurtz,	Reilly, J. M.,	Young,
Fox,	Lee,	Robbins,	Ziegler,
Frost,	Leisey,	Robertson,	Sorg,
Gallagher,	McMillen,	Royer,	Speaker
George,	Mikula,	Sarraf,	

NAYS—76

Amarando,	Good,	Lovett,	Rosen,
Andrews,	Goodling,	Madigan,	Rovansek,
Barkdoll,	Graybill,	McCullough,	Seyler,
Beaver,	Green,	McGee,	Shoemaker,
Bomberger,	Guarnieri,	McNally,	Smith, W. B.,
Brandon,	Hagerty,	Mihm,	Stank,
Breth,	Harris,	Moran,	Sternberg,
Brice,	Hocker,	Nagel,	Stimmel,
Brown, H. S.,	Hunter,	Olsen,	Swope,
Bucchin,	Jenkins,	Pentrack,	Tompkins,
Cadwalader,	Jones, G. E.,	Peta,	Varallo,
Coleman,	Jones, J. M.,	Pettigrew,	Verona,
DeLong,	Kamyk,	Pfaff,	Weidner,
Dennison,	Kent,	Posta,	Welsh,
Dougherty,	Kirley,	Propert,	Westrick,
Elder,	Kondrath,	Readinger,	Wheeler,
Firmstone,	Kratz,	Reagan,	Wood,
Floyd,	Leonard,	Reynolds,	Yester,
Gaffney,	Limper,	Riley, R. L.,	Yetzer,

NOT VOTING—26

Altshuler,	Ewing,	Lederer,	Powers,
Baumunk,	Fleming,	Loftus,	Rose.
Blair,	Frank,	McCormack,	Scanlon,
Boorse,	Greenwood,	McKinney,	Spencer,
Bower,	Haudenshield,	Moore, C. E.,	Taylor,
Duffy,	Hersch,	Penglase,	Watkins,
Evans,	Krise,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

DUSHORE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Senior class of the Dushore High School of Sonestown, Sullivan County, under the supervision of their teachers, Miss Holcombe and Mr. Worthington. They are the guests of the gentleman from Sullivan, Mr. Baumunk.

BENTON HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the ninth grade Civics class of the Benton High School, Benton, Columbia County, under the supervision of their teacher, Mrs. Allegar. They are the guests of the gentleman from Columbia, Mr. Beaver.

GOOD SCHOOLS LOBBY OF THE TEACHERS' UNION WELCOMED

The SPEAKER. The Chair welcomes representatives of the CIO Teachers' Union, their families and friends. They are the guests of the gentleman from Tioga, Mr. Jennings.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member from Berks County, Honorable Chester A. Mohn.

MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to welcome back to the Hall of the House the gentleman from Allegheny, Mr. Brown and hopes he is feeling well.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member from Delaware County, Honorable T. Jay Sproul.

BILL INTRODUCED AND REFERRED

By Mr. WOOD. HOUSE BILL NO. 1328.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 980, Printer's No. 559

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 987, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by granting certain preferences to soldiers in examinations, selection and appointment of eligibles and furloughs.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I find myself in the unhappy position of having to vote against this bill, which is a very helpful bill as far as the veterans are concerned.

On page 10 of the bill provision has been made that no soldier or person entitled to a veteran's preference may be furloughed until every other person in that classification, wherever he happens to be, has first been furloughed. That may mean and will mean that a man who has never been a veteran but who might have served the state of Pennsylvania for twenty years and has given good service must be laid off before a man who has possibly served one or two years.

I find myself unable to agree with that in any respect, and I think that it will be one of the greatest deterrents with people who are not veterans seeking employment with the state of Pennsylvania. I think over the years to come we may be depriving the state of the services of many fine persons, who when considering taking a job with the state and knowing that they may be laid off at any time, no matter how long they served, will determine not to enter the state service.

I dislike very much that I must vote against this bill. I have talked with the sponsors and they have been unable to agree that this section be deleted. Therefore, I will vote against this bill.

Mr. MORAN. Mr. Speaker, I would like to ask the sponsor of this bill to pass this over for today.

The SPEAKER. If there is no objection, the Chair withdraws its position that this bill was agreed to on third reading. The Chair hears no objection.

BILL PASSED OVER

There being no objection

House Bill No. 987, Printer's No. 560

was passed over at the request of Mr. MORAN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105, as follows:

An Act requiring persons associations partnerships corporations and their agents herein defined as Dealers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables except in cities of the first class to be registered by the sheriff providing for the revocation or suspension of such registration imposing a registration fee imposing certain duties on such dealers and their agents conferring powers and duties on Sheriffs Chiefs of Police of political sub-divisions Pennsylvania State Police and the Attorney General of Pennsylvania prescribing penalties and punishments for violation of this act and the means and method of its enforcement regulating certain matters of evidence in such procedure providing appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealer or retail dealer The term "dealer" includes any person association co-partnership or corporation engaged in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables except in cities of the first class The term "dealer" shall not include any person engaged in the manufacture and sale of any of the metals wire rope rails or cables heretofore enumerated

"Person" Every natural person association and corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or

members thereof and as applied to corporations the officers thereof

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or means whatsoever

"Sheriff" Shall mean the sheriff of the county where the place of business of the deal is located

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 (a) On and after the effective date of this act it shall be unlawful for any person except in cities of the first class to engage in or thereafter to continue to engage in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables at wholesale or retail within this Commonwealth unless a registration certificate or certificates shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails or cables as set forth and enumerated in paragraph (a) of this section shall file an application for registration certificate or certificates with the sheriff of the county wherein his place of business is located Every application for a certificate of registration shall be made upon a form prescribed prepared and furnished by the sheriff and shall set forth the name under which the applicant dealer transacts or intends to transact business the location of his place or places of business within the county and such other information as the sheriff or Attorney General of Pennsylvania may require If the applicant has or intends to have more than one place of business within the said county the application shall state the location of each place of business and the required fee shall be paid for each location. If the applicant is an association the application shall set forth the names and addresses of the principal officers thereof and any other information prescribed by the sheriff or the Attorney General of Pennsylvania for purposes of identification or for any other purpose The application shall be signed and verified by oath or affirmation by the owner if a natural person and in the case of an association by a member or partner thereof and in case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written authorization of his authority

At the time of making such application the applicant shall pay to the sheriff a registration fee of two dollars ($2.00) for each registration certificate A certificate shall be required for each place of business

Upon the approval of the application by the sheriff and the payment of the registration fee herein required the sheriff shall grant and issue to each applicant a registration certificate for each place of business within the county wherein the business is located and set forth in his application Registration certificates shall not be assignable and shall be valid only for the persons in whose name issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the place for which issued All registration certificates shall expire on the 31st of December next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the sheriff

(c) Registration certificates issued under the provisions of this act may be renewed annually before the first of January upon application made to the sheriff and the payment of a renewal fee of two dollars ($2.00)

Whenever any registration certificate issued under the provisions of this act is defaced destroyed or lost the sheriff may issue a duplicate certificate to the holder of the defaced destroyed or lost certificate upon the payment of a fee of one dollar ($1.00) All of said registration fees when received by the sheriff shall be immediately paid into the county treasury

(d) The sheriff may suspend or after hearing revoke a certificate whenever he finds that the holder thereof has failed to comply with any of the propisions of this act or any rules or regulations of the Attorney General of Pennsylvania prescribed adopted and promulgated under this act Upon suspending or revoking any registration certificates the sheriff shall request the holder thereof to surrender to him immediately all registration certificates or duplicates thereof issued to him and the holder thereof shall surrender promptly all such registration certificates to the sheriff as requested Whenever the sheriff suspends a registration certificate he shall notify the holder immediately and afford him a hearing if desired if a hearing has not already been afforded After such hearing the sheriff shall either rescind his order of suspension or good cause appearing thereafter shall continue the suspension or revoke the registration certificate

Section 3 Every person registered under the provisions of this act and every person required to be registered under this act shall maintain and keep for a period of two (2) years in each place of business owned operated or conducted by the holder of the registration certificate or by a dealer not registered a record or records accurately written in the English language of any and all junk scrap iron used or second hand metals used or second hand wire rope rails or cables purchased received sold re-sold negotiated exchanged transferred or shipped by him together with invoices bills of lading and other pertinent papers The address and some proper identification of the party from whom the used goods or materials and supplies were purchased received or obtained shall be made known to the holder of the registration certificate and such method of identification shall be made a matter of record by the holder of the registration certificate or by a dealer not registered and kept by him as a part of the records required by this act The sheriff or his deputies chiefs of police of political sub-divisions of the county wherein the registration certificates issued and Pennsylvania State Police are hereby authorized to examine only the books papers invoices bills of lading and other records and pertinent papers relating to the purchase sale transfer assignment or shipment of goods and stock of goods or materials in and upon any premises where the same are placed or stored to verify any information which they have or to search for goods or materials or supplies which to their knowledge have been stolen or have been reported to them as stolen or missing

Every such registered certificate holder his agents servants and employees and any dealer as herein defined but not registered his agents servants and employees are hereby directed and required to give to the sheriff or his deputies the chiefs of police of the political sub-divisions in his county and to Pennsylvania State Police the means facilities and opportunity for such examinations as are hereby provided and required

Section 4 (a) Any person who shall engage in the business of a dealer as defined in section 1 of this act without being the holder of a registration certificate as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and default of payment thereof to undergo imprisonment in the county jail for not more than sixty (60) days The right to appeal from such conviction shall exist as in other cases of summary conviction

(b) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the sheriff or Attorney General of Pennsylvania under the provisions of this act or who shall fail to keep records and identification of persons in accordance with the requirements and provisions of section 3 of this act or shall refuse to permit the sheriff or his deputies the Chiefs of Police of political sub-divisions in his County wherein the registration certificate is required or issued or the Pennsylvania State Police to examine his books papers invoices bills of lading and other records and pertinent papers as

required in section 3 of this act his stock of goods and material in and upon the premises where the same are kept or stored shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to undergo imprisonment of not more than six (6) months or both in the discretion of the court In any proceeding under this act either for the collection of a penalty or a prosecution for a misdemeanor the certificate of the sheriff under his seal shall be accepted by justices of the peace aldermen or courts of record as evidence of the granting of a registration certificate to own operate or conduct or carry on a business as registered under the provisions of this act or of the fact that no such registration certificate has been granted to any particular person co-partnership association or corporation

Section 5 The sheriff shall be charged with the enforcement of this act within the confines of the county wherein he is sheriff

The Attorney General of Pennsylvania is hereby authorized and directed to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act and from time to time to make amend and rescind the same

Section 6 The sheriff is hereby authorized to revoke any registration certificate issued in his county for causes including instances where the registration certificate was obtained by fraud

Section 7 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 8 Nothing in this act shall be construed to repeal supersede or interfere with any law or any ordinance or resolution of the proper authorities of any political subdivision or the enforcement thereof which affects or regulates any business or activity coming within the scope of this act

Section 9 This act shall become effective sixty (60) days after its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Altshuler,	Gaffney,	Lovett,	Rose,
Amarando,	Gallagher,	Madigan,	Rosen,
Andrews,	George,	McCormack,	Rovansek,
Baumunk,	Gibson,	McCullough,	Royer,
Bane,	Glembocki,	McGee,	Sarraf,
Barkdoll,	Good,	McKinney,	Sax,
Beaver,	Goodling,	McMillen,	Scanlon,
Bednarek,	Graybill,	McNally,	Schmidt,
Blair,	Green,	Mihm,	Schuster,
Bloom,	Greenwood,	Mikula,	Scott,
Boles,	Greer,	Miller,	Seyler,
Bomberger,	Guarnieri,	Milliken,	Shoemaker,
Boorse,	Guthrie,	Mills,	Smith, C. C.,
Bower,	Hagerty,	Mintess,	Smith, W. B.,
Brandon,	Hall,	Monroe,	Snider,
Breisch,	Hamilton,	Moore, C. E.,	Sollenberger,
Breth,	Harney,	Moore, H. A.,	Spencer,
Brice,	Harris,	Moran,	Stank,
Brown, H. S.,	Haudenshield,	Munley,	Sternberg,
Brown, W. E.,	Heatherington,	Murray,	Stimmel,
Brunner,	Helm,	Musto,	Stuart,
Bucchin,	Herman,	Nagel,	Swope,
Cadwalader,	Hersch,	Najaka,	Tahl,
Clapper,	Hewitt,	Needham,	Taylor,
Clendening,	Hocker,	Neff,	Thompson,
Cochran,	Hoffman,	Nixon,	Tompkins,
Cole,	Hoggard,	O'Dare,	Toomey,
Coleman,	Hunter,	O'Donnell,	Varallo,
Conway,	Jenkins,	Olsen,	Varner,
Cooper,	Jennings,	Orban,	Verona,
Costa,	Jim,	Penglase,	Wachhaus,
Dalrymple,	Johnson,	Pentrack,	Wagner,
DeLong,	Jones, G. E.,	Peta,	Wargo,
Dennison,	Jones, J. M.,	Petrosky,	Waterhouse,
Depuy,	Jump,	Pettigrew,	Watkins,
Dougherty,	Kamyk,	Pfaff,	Weidner,
Driscoll,	Keller,	Polen,	Weiss,
Duffy,	Kemp,	Posta,	Welsh,
Dye,	Kent,	Powers,	Wescott,
Elder,	Kirley,	Price, H. W., Jr.,	Westrick,
Erb,	Kline,	Price, R. A.,	Wheeler,
Evans,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson	Speaker
Frost,	Loftus,		

NAYS—1

Worley,

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 546, as follows:

An Act to repeal section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fifty of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Altshuler,	Gaffney,	Lovett,	Rose,
Amarando,	Gallagher,	Madigan,	Rosen,
Andrews,	George,	McCormack,	Rovansek,
Bane,	Gibson,	McCullough,	Royer,
Barkdoll,	Glembocki,	McGee,	Sarraf,
Baumunk,	Good,	McKinney,	Sax,
Beaver,	Goodling,	McMillen,	Scanlon,
Bednarek,	Graybill,	McNally,	Schmidt,
Blair,	Green,	Mihm,	Schuster,
Bloom,	Greenwood,	Mikula,	Scott,
Boles,	Greer,	Miller,	Seyler,
Bomberger,	Guarnieri,	Milliken,	Shoemaker,
Boorse,	Guthrie,	Mills,	Smith, C. C.,

Bower,	Hagerty,	Mintess,	Smith, W. B.,
Brandon,	Hall,	Monroe,	Snider,
Breisch,	Hamilton,	Moore, C. E.,	Sollenberger,
Breth,	Harney,	Moore, H. A.,	Spencer,
Brice,	Harris,	Moran,	Stank,
Brown, H. S.,	Haudenshield,	Munley,	Sternberg,
Brown, W. E.,	Heatherington,	Murray,	Stimmel,
Brunner,	Helm,	Musto,	Stuart,
Bucchin,	Herman,	Nagel,	Swope,
Cadwalader,	Hersch,	Najaka,	Tahl,
Clapper,	Hewitt,	Needham,	Taylor,
Clendening,	Hocker,	Neff,	Thompson,
Cochran,	Hoffman,	Nixon,	Tompkins,
Cole,	Hoggard,	O'Dare,	Toomey,
Coleman,	Hunter,	O'Donnell,	Varallo,
Conway,	Jenkins,	Olsen,	Varner,
Cooper,	Jennings,	Orban,	Verona,
Costa,	Jim,	Penglase,	Wachhaus,
Dalrymple,	Johnson,	Pentrack,	Wagner,
DeLong,	Jones, G. E.,	Peta,	Wargo,
Dennison,	Jones, J. M.,	Petrosky,	Waterhouse,
Depuy,	Jump,	Pettigrew,	Watkins,
Dougherty,	Kamyk,	Pfaff,	Weidner,
Driscoll,	Keller,	Polen,	Weiss,
Duffy,	Kemp,	Posta,	Welsh,
Dye,	Kent,	Powers,	Wescott,
Elder,	Kirley,	Price, H. W., Jr.,	Westrick,
Erb,	Kline,	Price, R. A.,	Wheeler,
Evans,	Kohl,	Propert,	Williams,
Felton,	Kolankiewicz,	Readinger,	Wood,
Ferster,	Kondrath,	Reagan,	Yaffe,
Filo,	Kratz,	Reese,	Yeakel,
Firmstone,	Kurtz,	Reidenbach,	Yester,
Flack,	Lederer,	Reilly, J. M.,	Yetzer,
Fleming,	Lee,	Reynolds,	Young,
Floyd,	Leisey,	Riley, R. L.,	Ziegler,
Fox,	Leonard,	Robbins,	Sorg,
Frank,	Limper,	Robertson,	Speaker
Frost,	Loftus,		

NAYS—1

Worley,

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 581, as follows:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by further providing for emergency registration of nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as last amended by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 194) is hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is a citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated which school or combination of schools of nursing must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars And provided that any applicant who is a citizen of the United States and who was eligible for examination for registration in the Commonwealth of Pennsylvania as a registered nurse prior to September first one thousand nine hundred and thirty-eight may upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars be granted registration by examination based upon the submission of evidence showing that he or she had met the requirements for registration in the State of Pennsylvania which obtained at the time of his or her graduation from an accredited school of nursing or without examination if the applicant shall show to the satisfaction of the board that he or she graduated prior to June first one thousand nine hundred and [twelve] thirty-five from a reputable hospital or sanitarium or training school [where a systematic course of practical instruction in nursing was given] which required the satisfactory completion of a course of training equivalent at least to the minimum requirements then in effect This amendment shall become effective immediatly upon final enactment and continue until the thirtieth day of June one thousand nine hundred [forty-nine] fifty

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. C.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Breth,	Harney,	Moore, C. E.,	Spencer,
Brice,	Harris,	Moore, H. A.,	Stank,
Brown, H. S.,	Haudenshield,	Moran,	Sternberg,
Brown, W. E.,	Heatherington,	Munley,	Stimmel,
Brunner,	Helm	Murray,	Stuart,
Bucchin,	Herman,	Musto,	Swope,
Cadwalader,	Hersch,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,

Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orbán,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Felton,	Kolankiewicz,	Propert,	Wood,
Ferster,	Kondrath,	Readinger,	Worley,
Filo,	Kratz,	Reagan,	Yaffe,
Firmstone,	Kurtz,	Reese,	Yeakel,
Flack,	Lederer,	Reidenbach,	Yester,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,	Limper,	Robbins,	Sorg,
Frost		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 631, Printer's No. 245,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 658, as follows:

An Act to amend subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the compensation of auditors in districts of the third and fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two thousand four hundred thirty-three and section two thousand four hundred forty-three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 2433 Compensation of Auditors

* * * * *

(b) In school districts of the third class the compensation for auditors shall be [five dollars ($5)] six dollars ($6) per day for each day necessarily spent by each auditor except in the case of a certified public accountant employed to act as auditor in which event the compensation shall be fixed by the board of directors of the district

Section 2443 Compensation of Auditors The auditors herein required to audit the accounts of a school district of the fourth class shall be allowed for their services [five dollars ($5)] six dollars ($6) per day for each day necessarily spent by each of them in the performance of his duty which together with the cost of advertising their report shall be paid by the school district

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Gaffney,	Loftus,	Rose,
Amarando,	Gallagher,	Lovett,	Rosen,
Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCormack,	Royer,
Barkdoll,	Glembocki,	McCullough,	Sarraf,
Baumunk,	Good,	McGee,	Sax,
Beaver,	Goodling,	McKinney,	Scanlon,
Bednarek,	Graybill,	McMillen,	Schmidt,
Blair,	Green,	McNally,	Schuster,
Bloom,	Greenwood,	Mihm,	Scott,
Boles,	Greer,	Mikula,	Seyler,
Bomberger,	Guarnieri,	Miller,	Shoemaker,
Boorse,	Guthrie,	Milliken,	Smith, C. O.,
Bower,	Hagerty,	Mills,	Smith, W. B.,
Brandon,	Hall,	Mintess,	Snider,
Breisch,	Hamilton,	Monroe,	Sollenberger,
Breth,	Harney,	Moore, C. E.,	Spencer,
Brice,	Harris,	Moore, H. A.,	Stank,
Brown, H. S.,	Haudenshield,	Moran,	Sternberg,
Brown, W. R.,	Heatherington,	Munley,	Stimmel,
Brunner,	Helm,	Murray,	Stuart,
Bucchin,	Herman,	Musto,	Swope,
Cadwalader,	Hersch,	Nagel,	Tahl,
Clapper,	Hewitt,	Najaka,	Taylor,
Clendening,	Hocker,	Needham,	Thompson,
Cochran,	Hoffman,	Neff,	Tompkins,
Cole,	Hoggard,	Nixon,	Toomey,
Coleman,	Hunter,	O'Dare,	Varallo,
Conway,	Jenkins,	O'Donnell,	Varner,
Cooper,	Jennings,	Olsen,	Verona,
Costa,	Jim,	Orban,	Wachhaus,
Dalrymple,	Johnson,	Penglase,	Wagner,
DeLong,	Jones, G. E.,	Pentrack,	Wargo,
Dennison,	Jones, J. M.,	Peta,	Waterhouse,
Depuy,	Jump,	Petrosky,	Watkins,
Dougherty,	Kamyk,	Pettigrew,	Weidner,
Driscoll,	Keller,	Pfaff,	Weiss,
Duffy,	Kemp,	Polen,	Welsh,
Dye,	Kent,	Posta,	Wescott,
Elder,	Kirley,	Powers,	Westrick,
Erb,	Kline,	Price, H. W., Jr.,	Wheeler,
Evans,	Kohl,	Price, R. A.,	Williams,
Felton,	Kolankiewicz,	Propert,	Wood,
Ferster,	Kondrath,	Readinger,	Worley,
Filo,	Kratz,	Reagan,	Yaffe,
Firmstone,	Kurtz,	Reese,	Yeakel,
Flack,	Lederer,	Reidenbach,	Yester,
Fleming,	Lee,	Reilly, J. M.,	Yetzer,
Floyd,	Leisey,	Reynolds,	Young,
Fox,	Leonard,	Riley, R. L.,	Ziegler,
Frank,	Limper,	Robbins,	Sorg,
Frost,		Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 683, as follows:

An Act to amend subsection A of section three point one and to add section three point two to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for joinder in existing authorities by additional municipalities and making provision for the amendment of articles of incorporation by an authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section three point one of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" is hereby amended to read as follows

Section 3.1 Municipalities Withdrawing from and Joining in Joint Authorities A Whenever an Authority has been incorporated by two or more municipalities any one or more of such municipalities may withdraw therefrom [and any municipality not having joined in the original incorporation may join in the Authority] but no municipality shall be permitted to withdraw from any Authority after any obligation has been incurred by the Authority Whenever an Authority has been incorporated by one or more municipalities any municipality not having joined in the original incorporation may subsequently join in the Authority

Any municipality wishing to withdraw from or to become a member of an existing Authority shall signify its desire by resolution or ordinance If the Authority shall by resolution express its consent to such withdrawal or joining the municipal authorities of the withdrawing or joining municipality shall cause a notice of its resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which the Authority is organized and at least one time in a newspaper published and of general circulation in such county or counties Such notice shall contain a brief statement of the substance of the resolution or ordinance making reference to this act and shall state that on a day certain not less than three days after publication of the notice an application to withdraw from or to become a member of the Authority as the case may be will be filed with the Secretary of the Commonwealth

Section 2 Said act is hereby amended by adding immediately following section three point one a new section to read as follows

Section 3.2 Amendment of Articles A An Authority in the manner hereinafter provided may from time to time amend its articles

(1) To adopt a new name

(2) To modify any provisions thereof limiting its term of existence by increasing such term

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

B Every amendment to the articles shall first be proposed by the board by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to the governing authorities of the municipality or municipalities composing the Authority The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provisions thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles After the amendments have been submitted to the municipality or municipalities such municipality or municipalities shall adopt or reject such amendment by resolution or ordinance

C After an amendment has been adopted by the municipality or municipalities articles of amendment shall be executed under the seal of the Authority and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the Authority

(2) The act of Assembly under which the Authority was formed and the date when and the place where the original articles were recorded

(3) The resolution or ordinance of the municipality or municipalities adopting the amendment

(4) The amendment adopted by the municipality or municipalities which shall be set forth in full

D The Authority shall advertise its intention to file articles of amendment with the Secretary of the Commonwealth in the manner prescribed in section three of this act in the case of the formation of an Authority Advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Secretary of the Commonwealth and shall set forth briefly

(1) The name and location of the registered office of the Authority

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Secretary of the Commonwealth

E The articles of amendment and proof of the advertisement heretofore required shall be delivered by the Authority or its representative to the Secretary of the Commonwealth If the Secretary of the Commonwealth finds that such articles conform to law he shall forthwith but not prior to the day specified in the advertisement required heretofore endorse his approval thereon and when all fees and charges have been paid shall file the articles and issue to the Authority or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,

Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg.
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passd the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

EMPLOYES OF DELAWARE COUNTY TREASURER'S OFFICE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House a group from the Delaware County Treasurer's Office. They are the guests of the Members from Delaware County.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 508.

An Act to amend section one thousand three hundred fifty-one of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Represenatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 8 by striking out the words "school directors in school districts of the first class may" and inserting in lieu thereof the following "public education in school districts of the first class where an adequate continuing school census is maintained shall between March first and September first once in three years commencing with the year"

On the question,

Will the House concur in the amendment made by the Senate.

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,

Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Represenatives numbered and entitled as follows:

HOUSE BILL No. 764.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of election officials in counties of the first and second classes and changing the requirements for delivery of voting machine keys for the preparation of duplicate return sheets in certain cases for the payment of certain campaign expenses for the filing of expense accounts and the delivery of blanks therefor.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 2, line 4 by striking out after the word "of" where it appears the first time in the line the word "certain"; page 2, line 4, by striking out after the word "first" the word "Class" and inserting in lieu thereof the words "and second classes."

Amend Section 1, page 2, line 1, by striking out "(c)" and inserting in lieu thereof "(a)"; page 3, line 2, by striking out after the word "elections" the words "as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (Pamphlet Laws 194) is hereby further amended to read as follows" and inserting in lieu thereof the following:" is hereby amended to read as follows

Section 412 Compensation of Election Officers (a) in Counties of the First and Second Classes The compensation of judges of election shall be [fifteen ($15.00) dollars] twenty dollars ($20.00) and the compensation of inspectors clerks and machine inspectors shall be [ten ($10.00) dollars] fifteen dollars ($15.00) for each primary and election

Section 2 subsection (c) of section four hundred twelve of said act as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (Pamphlet Laws 194) is hereby further amended to read as follows"

Amend Section 2, page 4, line 8, by striking out after the word "section" where it appears the first time in the line the figure "2" and inserting in lieu thereof the figure "3."

Amend Section 3, page 5, line 1, by striking out after the word "section" where it appears the first time in the line the figure "3" and inserting in lieu thereof the figure "4."

Amend Section 4, page 7, line 17, by striking out after the word "section" where it appears for the first time in the line the figure "4" and inserting in lieu thereof the figure "5."

Amend Section 5, page 11, line 6, by striking out after the word "section" the figure "5" and inserting in lieu thereof the figure "6."

Amend Section 6, page 12, line 14, by striking out after the word "section" the figure "6" and inserting in lieu thereof the figure "7."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 828.

An Act to further amend section one hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by changing the method of computing payments in lieu of devices at dams to enable fish to migrate; and increasing the amount of maximum payments.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Celrk read the amendment as follows:

Amend section 1, page 3, line 16, by striking out after the word "with" the word "food."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. CHARLES C. SMITH. Mr. Speaker, I request that the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. H.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I think in view of the fact that we are having but a three day session this week, the Membership should be informed that it is our intention tomorrow to go right through the entire calendar and meet the objections to every bill, if there are any; that it is not our intention to have a consent calendar.

Therefore, I urge that all Members make it a point to be present for the entire session.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 508.

An Act to amend section one thousand three hundred fifty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amend revising consolidating and changing the laws relating thereto" by providing for permissive rather than required enumeration of children of school age in school districts of the first class

HOUSE BILL No. 764.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compensation of election officials in counties of the first and second classes and changing the requirements for delivery of voting machine keys for the preparation of duplicate return sheets in certain cases for the payment of certain campaign expenses for the filing of expense accounts and the delivery of blanks therefor

HOUSE BILL No. 828.

An Act to further amend section one hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by changing the method of computing payments in lieu of devices at dams to enable fish to migrate and increasing the amount of maximum payments

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1328, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Mr. KOLANKIEWICZ from the Committee on Education, reported as committed, House Bill No. 399, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the change of the fiscal year by districts of the second class.

Mr. STUART from the Committee on Education, reported as committed, Senate Bill No. 46, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting provisions for minimum salaries and increments to teachers holding valid certificates for the subjects or grades in which they give instruction postponing the enforcement of penalties on school districts for employing teachers with emergency certificates and imposing a penalty on school districts for employing teachers without certification valid for the subjects or grades in which they give instruction

Mr. AMARANDO from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1189, entitled:

An Act to amend section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled, "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by further regulating certain permissible charges.

Mr. WEISS from the Committee on Education, reported as committed, Senate Bill No. 178, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring school districts of the first class to levy additional taxes to pay rentals to authorities created by the General Assembly having statewide jurisdiction authorizing school districts of other classes to levy additional taxes to pay rentals to the State Public School Building Authority authorizing boards of school directors to make additional appropriations or to increase existing appropriations pay over money raised from bond issues to meet leases or contracts to lease from the State School Building Authority authorizing school districts to enter into contracts of insurance of leased property authorizing school districts singly or jointly with other districts to convey or lease property and to appropriate money including proceeds of general obligation bonds to the State Public School Building Authority and to acquire additional property for such purposes and to contract with and lease property from said Authority requiring withholding of State appropriations for nonpayment of rental and authorizing payment to the Authority and authorizing payment of school districts for operation and maintenance of leased buildings furnishings and equipment.

Mr. PFAFF from the Committee on Insurance, reported as amended, House Bill No. 1291, entitled:

An Act to further amend subsection (a) of section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by further providing for the determination of persons of low income.

Mr. PFAFF from the Committee on Insurance, reported as amended, House Bill No. 1292, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; con-

ferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." by further providing for the determination of persons of low income by nonprofit medical service corporations.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1328, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 399, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting provisions for minimum salaries and increments to teachers holding valid certificates for the subjects or grades in which they give instruction postponing the enforcement of penalties on school districts for employing teachers with emergency certificates and imposing a penalty on school districts for employing teachers without certification valid for the subjects or grades in which they give instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1189, entitled:

An Act to amend section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act" by further regulating certain permissible charges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts of the first class to levy additional taxes to pay rentals to authorities created by the General Assembly having statewide jurisdiction authorizing school districts of other classes to levy additional taxes to pay rentals to the State Public School Building Authority authorizing boards of school directors to make additional appropriations or to increase existing appropriations pay over money raised from bond issues to meet leases or contracts to lease from the State School Building Authority authorizing school districts to enter into contracts of insurance of leased property authorizing school districts singly or jointly with other districts to convey or lease property and to appropriate money including proceeds of general obligation bonds to the State Public School Building Authority and to acquire additional property for such purposes and to contract with and lease property from said Authority requiring withholding of State appriations for nonpayment of rental and authorizing payment to the Authority and authorizing payment by school districts for operation and maintenance of leased buildings furnishings and equipment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

Mr. Speaker, this is a very happy moment for me. I waited for about ten years to say what I am about to say.

I will take you back a few years, first however, back to 1873, when the Fish Commission was first formed in this state by the Legislature. About twenty years later, the Game Commission was formed in 1895—two very important legislative years.

On those two years in this Legislature is based the beginning of Pennsylvania's hunting and fishing prestige. We have become the first state in the Union, bar none in the United States, according to the figures of the Department of the Interior. There are more hunters and fishermen in the state of Pennsylvania than in any other state in the Union.

However, we ran into a problem as time went on. At first there was plenty of game and fish and the regulations were liberal. We used the game and we have used the fish, and then we abused the game and abused the fish. Finally, for the past fifteen years, we have reached the end of the golden age of hunting and fishing in this state, an age, I would say, that extended over approximately from 1910 to 1935, about twenty-five years, but since game and fish are covered by natural laws, we did nothing or practically nothing over the years to obey or

assist nature in maintaining the supply of game and fish adequate enough to provide suitable sport for a growing army of sportsmen.

However, Mr. Speaker, it remained for this Legislature, and I am serious in this, this Legislature has the honor, and the House of Representatives can take credit for having already passed in the House the greatest and most important game and fish legislation in fifty years.

A brief summary of what we have done, I think you might want to know. We passed House Bill 986, that is increasing the hunting license three dollars and fifteen cents and earmarking one dollar and twenty-five cents to help nature restore and bring back the game, and to pay farmers, which is an extraordinary provision, for assisting nature in leaving grain and other forms of wild life foods stand.

Another bill was House Bill 487. which eliminated the seventy-five cent purchase fund. That was passed in 1927. through which the Game Commission purchased eigh hundred and fifty-seven thousand acres of state land for the use of game.

Then House Bill 532 would reimburse the counties for prisoners' fare. House Bill 582 reduces the size of the small game hunting parties from five to four. Then House Bill 260 which is on the calendar, sets up an adequate game protector's retirement fund, which is long needed.

I might say that House Bill 254, which passed finally yesterday, clarifies the rules on hunting camp leases. The fish program was just as important, in fact, very important.

House Bill 982 reorganized the Fish Commission, setting it up as the Game Commission was set up in 1937, free of politics, setting up the same protection as to employes of the Game Commission.

House Bill 1192 provides for the first time the proposition of closing your trout streams thirty days before the season opens on April 15th, which will insure thousands of fish remaining in the streams rather than going into the refrigerators of the law breakers.

House Bill 533 is a companion bill of House Bill 532, which permits the Fish Commission to pay prisoner's fare for fish law violators.

House Bill 1166 now on the calendar, sets up a fish warden retirement fund, which has also been long needed.

This game and fish program cannot be viewed in its entirety now but I say to you that you should be proud to be Members of this House in passing this legislation. I hope sincerely that it gets through the Senate. To do this requires a great deal of work, a great deal of log rolling. We had a few expert log rollers to help it along. Harry Elder, Chairman of the Game Committee proved himself quite an expert, and George Goodling, Chairman of the Fish Committee, also George Shoemaker, Vice Chairman of the Fish Committee, and Edwin Tompkins who had much to do with it, because he sponsored so many important bills. They all proved themselves quite efficient as log rollers.

Mr. Speaker. I say that this is important for another reason, that is that this class legislation, all these bills, passed this House almost unanimously. There were only a few votes against a few measures and I think this shows that the Members here appreciated the importance of what the program was designated to do.

I want to say finally that the state of Pennsylvania, in being the number one state in the union in hunting and fishing, if this program is properly carried out by the Game Commission, the state will still maintain its position as the formost state in the Union.

Gentlemen, I as one of you do wish certainly from my heart to congratulate you because I feel that this question of hunting and fishing should go beyond party lines, and being thoroughly acquainted with the hunting and fishing picture for well over ten years, I believe that we do realize that the importance of this program will be evidenced when you are old and grey and talking to your grandchildren, you can point to the year 1949, when this legislation was before the House in regard to hunting and fishing, and say "Sonny, I helped to do that".

SELECT COMMITTEE MEETING

The SPEAKER. The Select Committee on Final Adjournament ceremonies will meet immediately after the session in the New House Caucus Room.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GOODLING asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETINGS

Counties, Room Number 521, Wednesday, April 13, at 10:30 a. m.

Education, Room Number 324, Wednesday, April 13, at 10:00 a. m.

Military Affairs, Room Number 323, Wednesday, April 13, at 10:30 a. m.

Welfare, Room Number 330, Wednesday, April 13, at 10:30 a. m.

There will be a Democratic Caucus immediately after the close of today's session in the Old House Caucus Room.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unaminous consent to address the House.

Mr. Speaker, I got my wires crossed. I learned that the teachers are holding a meeting this afternoon in the old House Caucus Room. I had forgotten that I had given them that permission. I did not anticipate that we would like to have a caucus this afternoon. So obviously they cannot hold their meeting while we are holding the caucus, although I think that would gibe in with their proceedings very well.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, may I suggest that an invitation be extended to the minority to use the facilities of the majority in the new House Caucus Room, and that the Select Committee yield also to the minority for that purpose.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman very much. We will not have any microphones or in any other way invade your privacy.

The SPEAKER. The gentleman did admit that he had his wires crossed.

Mr. BRUNNER. Mr. Speaker, we, of course, are happy to yield to the minority in this respect. The only thing we ask is that they do not get too used to that room.

The SPEAKER. Does the Majority Leader desire to make any suggestion for the meeting of the Select Committee on final adjournment ceremonies?

The Chair is informed that the members of the Select Committee are requested to meet, instead of in the new House Caucus Room, in the Chief Clerks' office. The Members of the Select Committee will please meet there.

ADJOURNMENT

Mr. KONDRATH. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 13, 1949, at 11:00 a. m.

The motion was agreed to, and (at 3:19 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1949. 138th of the General Assembly.

Vol. 31. HARRISBURG, PA., WEDNESDAY, APRIL 13, 1949. No. 45.

SENATE

WEDNESDAY, April 13, 1949.

The Senate met at 12:00 o'clock, M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. FATHER ROY C. KEFFER offered the following prayer:

Oh God, Who has promised, "Ask and you shall receive", we now, with deep trust in Thee, beg a gracious ear to our prayers.

Inspire the members of this Senate with a deep understanding of the needs of Thy people, so that this state may ever be mindful of its role of servant for the entire population, and may this Holy Season bring to them and their families every Easter blessing, through Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceeding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 526, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties; providing for the registration and regulation of persons engaged in the growing, producing and harvesting of apples for profit, and prescribing fees therefor; prescribing penalties; creating a special fund in the State Treasury to be known as the Apple Promotion Fund; and making an appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 669, entitled:

An Act authorizing and empowering certain police officers to make arrests on Sunday under certain conditions.

Which was committed to the Committee on Judiciary General.

House Bill No. 803, entitled:

An Act to amend section one thousand one hundred four, and further amend section one thousand one hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing term of office of county superintendent.

Which was committed to the Committee on Education.

House Bill No. 1105, entitled:

An Act requiring persons associations partnerships corporation and their agents herein defined as dealers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale re-sale exchange or transfer of junk scrap iron used or second hand iron steel copper brass lead aluminum or other metal used or second hand wire rope rails of iron steel or other metal or cables except in cities of the first class to be registered by the sheriff providing for the revocation or suspension of such registration imposing a registration fee imposing certain duties on such dealers and their agents conferring powers and duties on Sheriffs Chiefs of Police of Political sub-divisions Pennsylvania State Police and the Attornel General of Pennsylvania prescribing penalties and punishments for violation of this act and the means and method of its enforcement regulating certain matters of evidence in such procedure providing appeals

Which was committed to the Committee on Judiciary General.

SENATE BILL NO. 212. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 212, entitled:

An Act to further amend section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain children placed in foster homes, by the court, eligible for assistance.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL NO. 581. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 581, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by further providing for emergency registration of nurses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

HOUSE CONCURS IN SENATE BILL No. 546

He also returned to the Senate, Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 658

He also returned to the Senate, Senate Bill No. 658, entitled:

An Act to further amend sections two thousand six hundred twenty-three and two thousand six hundred twenty-eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors in districts of the third and fourth class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 683

He also returned to the Senate, Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing for joinder in existing authorities by additional municipalities; and making provision for the amendement of articles of incorporation by an authority.

with the information that the House has passed the same without amendments.

GENERAL COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication which was read by the Clerk.

House of Representatives	In Senate Chamber
Read and Adopted	April 4, 1949
April 1, 1949	Read and adopted
Sent up for Concurrence	In Concurrence
HARVEY R. PEASE, Clerk	CHESTER T. WINSLOW, Secretary

United States of America
State of Maine
Office of Secretary of State

I, HAROLD I. GOSS, Secretary of State of the State of Maine, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annxed copy of the Memorial to the Honorable Senate and House of Representatives of the United States of America assembled, with the original thereof, and that it is a full, true and complete transcrip therefrom and of the whole thereof.

SEAL

In Testimony Whereof, I have caused the seal of of the State to be hereunto affixed. Given under my hand at Augusta, this eleventh day of April, in the year of our Lord one thousand nine hundred and forty-nine and in the one hundred and seventy-third year of the Independence of the United States of America.

Signature
HAROLD I. GOSS, Secretary of State.

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Forty-Nine

MEMORIAL

To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled

Joint Resolution regarding a Constitutional Convention of the United States or amendments to the Constitution of the United States relating to strengthening the United Nations and limited World Federal Government.

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the ninety-fourth Legislative Session assembled, most respectively present and petition your Honorable Body as follows:

Whereas, War is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are over-whelmingly destructive and against which there is no sure defense; and

Whereas, The effective maintenance of world peace is the proper concern and responsibility of every American citizen; and

Whereas, The people of the State of Maine, while now enjoying domestic peace and security under the laws of their local, state and federal government, deeply desire the guarantee of world peace; and

Whereas, All history shows that peace is the product of law and order, and that law and order are the product of government; and

Whereas, The United Nations, as presently constituted, although accomplishing great good in many fields, lacks authority to enact, interpret or enforce world law, and under its present Charter is incapable of restraining any major nations which may foster or foment war; and

Whereas, The Charter of the United Nations expressly provides, in Articles 108 and 109, a procedure for reviewing and altering the Charter; and

Whereas, Many states have memoralized Congress, through resolution by their state legislatures or in referenda by their voters, to initiate steps toward the creation of a world federal government; and

Whereas, Several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty sufficient to endow it with powers adequate to prevent war; now, therefore, be it

Resolved, by the Senate and House of the State of Maine, that application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to give serious consideration to the calling of a convention for the sole purpose of proposing, amendments to the Constitution which are appropriate to authorize the United States to negotiate with other nations, subject to later ratification, a constitution of a world federal government, open to all nations, with limited powers adequate to assure peace, or amendments to the Constitution which are appropriate to ratify any world constitution which is presented to the United States by the United Nations, by a world constitutional convention or otherwise; and be it further

Resolved, That the Secretary of State of the State of Maine is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to the members of the said Senate and House of Representatives from this state, and to the presiding officers of each of the legislatures in the several states, requesting their cooperation.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, in continuation of my remarks whereby I criticized the action of the Senate Committee on Agriculture, I wish to read into the record an editorial which appeared in the Pittsburgh Press, Sunday, April 10.

The editorial reads as follows:

"THANK THE REPUBLICANS

"Republican Leaders in recent years have developed an uncanny—almost miraculous—ability at offending voters. If they are ever to regain power they must gain confidence among rank-and-file voters, especially in the lower income brackets.

"Yet seldom do they overlook an opportunity to offend such voters.

"The latest example was by the State Senate Committee on Agriculture, when it killed the bill to legalize yellow margarine.

"Regardless of what happens to the margarine bill in Congress, Pennsylvania housewives will have to continue to mix color with their margarine. This means stirring it in a bowl or squeezing a plastic bag.

"Either method is a nuisance. It is an unpleasant waste of time. It is a needless burden forced on the housewife by legislators who have more interest in the butter lobby than in the public.

"Republicans control the committee which killed the margarine bill.

"The housewives should bear this in mind. Especially when they are performing the useless chore of mixing color into margarine.

"This margarine vote deserves to be an issue at the next legislative elections. If the housewives are angry enough, maybe they can pound some sense even into the heads of Republican leaders."

Mr. NEFF. Mr. President, I would like to take this opportunity to register a protest as to the action of the Committee on Corporations as of this morning in meeting, while considering Senate Bill No. 576, and I might say to the gentlemen on the other side that I have arranged for the steward to have your soup drawn, and your finger bowls filled, because I may speak for ten minutes.

Mr. President, this morning the Committee on Corporations, in considering Senate Bill No. 576, a bill to provide for necessary clearance on standard gauge rail lines throughout the state, a safety measure that some eighteen states have previously taken, during the course of discussion, the action was brought to a vote, and the Committee voted to discharged the bill. The Committee Chairman then called a short recess, went out into the hallway, brought in the Majority Floor Leader, and decided that he was going to reconsider the bill, and with the addition of the Majority Floor Leader, called for another vote over the protest of the Minority Members of the Committee, and the motion to discharge was defeated.

Now, Mr. President, I protest this kind of action as undemocratic, a violation of all parliamentary procedure as it is customarily known, and I am just wondering why we have a set of rules for committee and floor action in the Senate of Pennsylvania.

Here is a bill, Mr. President, that means much to the workers on our transportation lines, our railroads, throughout the state of Pennsylvania. Each year we have hundreds of these workers maimed, and scores of them killed because of obstructions and insufficient celarance along the railroad rights of way. This bill would not have worked a hardship on the railroads in regard to construction now presently being used. It would only be effective on new construction, but the Committee decided that safety is a secondary measure when it comes to the working men of Pennsylvania, and decided, after skulduggery such as I have just commented upon, to keep the bill in Committee.

Mr. President, I think it is about high time that we give a little consideration to the Minority Members, and to the rules governing parliamentary procedure, not only on the floor of the Senate but in committee. It seems to me that today I have learned why the Pennsylvania Railroad has through the years lost only one battle on the floor of the Senate with this kind of action, undemocratic action by chairmen of committees. It is a wonder they have ever lost any.

Mr. LANE. Mr. President, the piece of legislation that Senator Neff was speaking about a little while ago, Senate Bill No. 576, was sponsored by myself.

I have had considerable experience upon the railways and railroads of this Commonwealth, and it so happens that about thirteen years ago, as a fireman on a fast passenger train, I suffered a broken shoulder due to close

clearance. Unfortunately for me, I just happened to have my shoulder out of the cab of the locomotive.

Now, Mr. President, Senate Bill No. 576, which was killed this morning, applies to future construction upon our railways and railroads, and I cannot for the life of me understand any objection that could have been voiced by any lobbyist against this piece of legislation.

I think the Committee should take that into consideration, and I would be glad to appear before such Committee and cite facts and figures which would justify the passage of this piece of legislation.

Mr. WALKER. Mr. President, I would like to make a few remarks concerning what took place in the Corporation Committee this morning.

First, may I advise the sponsor of the bill, through the gentleman from Lawrence, that in my opinion the bill is not dead. Last week when the Committee considered the bill, I stated very frankly in committee meeting a few matters which are confidential and known only to the Republican and Democratic Party at large, and the 10,000,000 people of Pennsylvania, that I would like to check with the railroads and see how disastrous this bill would be, and I find at this point in my investigation that there is nothing in the bill that is not already in the Public Utility Law, and that this bill would not hurt a whole lot.

Mr. President, I got a telephone message after the Committee Meeting, giving me the information that I desired, and may I suggest to the gentleman from Lawrence that there is a certain precedent in the Senate that existed here before I was born, and has been preserved up through the years—perhaps it is bad, perhaps it is good, but it is here. If a committee at any time wants to consider a bill over, and over, and over, it can do so. There is absolutely nothing wrong with having a vote over and over again. I have some bills that are languishing in committee that have been defeated, that I have not lost heart or hope for, and I propose to go back every time those committees meet and try and get those bills out on the floor.

The gentleman from Lawrence is a Member of the Commitee on Corporations, and may I suggest to him that very frequently things are going to happen during his senatorial career that do not meet with his approval, and he must remember he cannot win all the time. We would appreciate it very much if his criticism as to the method of the conduct of committees would come through his Floor Leader, who is a very adept, adroit, experienced gentleman in the handling of parliamentary procedures before committes and on the floor of the Senate. The gentleman is consistently criticizing the methods of the Majority as though it were something criminal, and should be investigated by the Department of Justice or the F.B.I.

May I say to the gentleman from Lawrence that I do not think that the bill is dead. I think that the bill has merit. We are just as deeply interested in trying to protect the employees of railroads as is he, and if the Committee Meeting would have occurred an hour after it did, the information that I received after the Committee Meeting would have been available to us.

May I suggest also, that we needed his vote desperately on a bill that was being sponsored by the gentleman from Allegheny, Senator Holland, and when he left the Committee Meeting at the conclusion of the reconsideration of the vote by which Senate Bill 572 was temporarily parked back in committee, we could have had one more vote in favor of Senator Holland's bill.

Mr. NEFF. Mr. President, the gentleman from Allegheny, Senator Walker, has made reference to certain rules and procedures historically at present in the Senate. and the dignity of this august body. I was certainly amazed, to say the least, yesterday, when I saw this historic dignity preserved as of yesterday, when I had the floor and thirty-one of his colleagues saw fit to go to the men's room, and so I think that I, as a Senator, have the right and privilege under the rules to state my case as I see it. If I see fit to criticize the actions of the Majority, I will do so, that is for sure, and I will continue to do so. I think that at times it might be a good idea to investigate some of their actions. I think it is long past due, and I will continue to criticize when I feel that criticism is due the Majority or the Minority.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Lawrence, that any time he desires the privilege of the floor, it is available to him to make any comments he so desires, but there is nothing in the rules that require the Majority Party to sit here and listen to his abuse.

Mr. LANE. Mr. President, I do not care to prolong this debate any longer. However, before I sponsored this piece of legislation, I checked rather thoroughly, and I could not find anything in the Pennsylvania law in regard to clearance. However, for the information of the Majority Party, the following States have clearance laws: Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, North Dakota, Ohio, Rhode Island, South Carolina, Texas, Vermont, Washington, and Wisconsin, and I cannot understand why Pennsylvania cannot have a clearance law, especially when it is not applicable to past construction; it only applies to new construction.

Mr. President, I am glad to know that the bill is not dead, and I hope that we can pass it at this session.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Washington that at the next meeting of the Committee on Corporations, I know that Senator Mallery will be very happy to have him attend and discuss the bill.

Mr. LEADER. Mr. President, in keeping with this debate I am reminded of the beatitude that was added to those we already have. This beatitude was added by President Hutchins, of Chicago, and reads:

"Blessed be the irritators for they bedevil us out of our bewilderment."

SENIOR CLASS IN BUSINESS TRAINING OF THE STATE COLLEGE HIGH SCHOOL PRESENTED TO SENATE

Mr. LETZLER. Mr. President, may I interrupt the proceedings of the Senate for a few moments to present a group of sixteen very fine young ladies, who are now occupying the gallery, a group from the senior class in business training of the State College High School.

They are accompanied and directed by their teacher, under her able leadership, Mrs. Ellen J. Maynard.

The PRESIDENT. On behalf of the Senate, the Chair is very anxious to greet the young ladies and glad to see them here today, and hope you enjoy the session.

STUDENTS OF PENNSIDE JUNIOR HIGH SCHOOL PRESENTED TO SENATE

Mr. RUTH. Mr. President, may I take this privilege to present to the Senate the tenth grade students of the Pennside Junior High School, of Lower Alsace Township, Berks County, under the leadership of their supervising principal, Mr. John A. Hibschman.

The PRESIDENT. The Chair also is glad to welcome the students of the Pennside Junior High School to this session.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I hope the Members of the Senate will recognize the subject I expect to take up at this moment as a serious one, and not discussed for the purpose of getting into the record.

Of recent weeks, Mr. President and Members of the Senate, there has been a campaign in the public press on the question of insecticides, the use of DDT and the results therefrom. Last night after the session, I had the privilege of talking for quite a long time with the gentleman from Bucks, Senator Watson. I had noticed a small newspaper article, dated April 8, which was not called to my attention until yesterday, with a Harrisburg date line, and I quote:

"DDT Planes Will Spray Bucks County Area April 18

"The State Agriculture Department said today that spraying of DDT by airplanes in the gypsy moth-infested area near Quakertown, Bucks County, will start April 18.

"It was originally scheduled for April 11. The 30,000-acre area will be enveloped by the spray just as millions of young caterpillars are being hatched, the department said."

Now, Mr. President and Members of the Senate, Senator Watson and myself will ask the Senate to accept a resolution, and I have talked to the Majority Leader about immediate consideration because of the lateness of the date.

Mr. President, about eighty-two years ago, as I understand the history, DDT was first developed in Germany. After a usage period of about two years, the Government saw fit to outlaw the use of this insecticide in Germany because it was discovered that in spraying this insecticide, it not only killed the pests among the insect race, but it also killed earthworms, birds, bees and other helpful insects. Any person that has ever had anything to do with agriculture, even in a small way, knows that without the earthworm the fertility of the soil would be lost; without the bees for pollination, there would be no fruits, vegetables, or food of any kind. We all know the part that the bird plays in the planting of trees and shrubs in barren areas, and I think that if this experiment in Bucks County has even the remotest possibility of creating a barren spot of 30,000 acres in the beautiful county of Bucks, it ought to be looked into before the action is performed.

I have before me, Mr. President, for those who are skeptical, a series of articles dealing with this particular subject, and I would like to read the recommendations that have come out of an investigation by the American Medical Association, and a group of scientists studying this particular subject at the moment, and I would like to just say to you that their recommendations ought to be taken into serious consideration, especially by the Secretary of Agriculture.

Their number one recommendation is that, "No new pesticide should be allowed on the general market before it is thoroughly investigated for its possible harmful effects to humans, as well as to insects, birds and animals beneficial to us."

Number two, and this is the important one, "DDT and other pesticide preparations already on the market should be re-studied as quickly as possible, and their use restricted until their toxic properties and safe handling are ascertained."

Now, Mr. President, in view of the seriousness of the situation, I am going to ask immediate consideration of this resolution. I will not read the "Whereas" clauses, but in order that the Senate realizes that I am not trying to stop, and Senator Watson has no idea whatsoever of stopping the Secretary of Agriculture from performing a necessary operation in his county, if he can clear with the proper medical authorities and scientific authorities the question of the after effects of this spraying, and so the resolve in the resolution will read as follows:

"Resolved that the Secretary of Agriculture present to the Senate a certified statement to the effect that he has searched all the possibilities of reaction to the spraying of this land, and can assure the Members of the Senate that no harm will be done to and in the area sprayed."

Mr. President, on behalf of Senator Watson and myself I present the following resolution, and ask that it be read and considered at this time.

RESOLUTION

DIRECTING THE SECRETARY OF AGRICULTURE TO MAKE A STUDY OF USING D. D. T. IN SPRAYING LAND LOCATED IN BUCKS COUNTY

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and WATSON offered the following resolution which was twice read, considered and agreed to:

In The Senate, April 13, 1949.

Whereas, There appears to be a very serious situation developing over the use of certain insecticides containing D. D. T. and,

Whereas, This situation has caused the A. M. A. and Science Groups to institute immediate studies into the effects of D. D. T. spraying, and

Whereas, Secretary of Agriculture Miles Horst has announced plans for spraying 30,000 acres in Bucks County on April 18th, and

Whereas, It has already been determined that certain D. D. T. insecticides destroy birds, bees and earthworms, and

Whereas, The human race is dependent upon agriculture and agriculture is dependent upon earthworms, birds, bees and certain other forms of insect life, and

Whereas, The possibilities contained in Secretary Horst's plans for spraying 30,000 acres in Bucks County are too uncertain and said spraying may cause irreparable damage and perhaps a lasting injury to animal life and a threat to human welfare, therefore be it

Resolved, That the Secretary of Agriculture present to the Senate a certified statement to the effect that he has searched all the possibilities of reaction to the spraying of this land and can assure the Senate that no harm will be done to and in the area sprayed.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 712, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating the compensation of parttime teachers; defining "directed study"; and further regulating extension education.

He also, from the Committee on Education, reported as amended, House Bill No. 781, entitled:

An Act to amend sections one thousand one and one thousand fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment qualifications and compensation of supervisors to serve school districts under the jurisdiction of the county superintendent.

He also, from the Committee on Education, reported as committed, House Bill No. 1050, entitled:

An Act to amend article thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the cancellation of any certificates license permit or registration obtained through fraud or misrepresentation.

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 376, entitled:

An Act to further amend sections one thousand two hundred fourteen and one thousand two hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the employment of a supervising principal, granting certain powers, and defining his duties.

He also, from the Committee on Education, reported as committed, Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

Mr. WATSON, from the Committee on Education, reported as committed, House Bill No. 527, entitled:

An Act to amend subsection (a) of section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for leaves of absence for illness upon the creation of a joint school or department or merged or union school district

He also, from the Committee on Education reported as committed, House Bill No. 145, entitled:

An Act to further amend clause (k) of section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," eliminating requirement that the Department of Public Instruction appoint members of advisory committees from lists submitted by State associations.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 602, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties ad repealing certain acts," by further regulating insurance and charges in connection with, and the obligations of persons financing such sales.

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved....., one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No....., entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 493, entitled:

An Act to amend section one thousand one hundred eighty-eight of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public schools system including provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for compensation for attendance at meetings of teachers.

He also, from the Committee on Education, reported as committed, House Bill No. 224, entitled:

An Act to amend section five hundred sixteen of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by eliminating the limitation upon the number of delegates a board of school directors may appoint to a State convention or association of school directors

He also, from the Committee on Education, reported, as amended, Senate Bill No. 33, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating reimbursement by the Commonwealth.

Mr. FARRELL, from the Committee on Education, reported as committed, House Bill No. 510, entitled:

An Act to amend section two thousand five hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto by increasing the amount of reimbursement for vocational extension classes and their supervisions.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 646, entitled:

An Act to amend section seventy-eight of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing amount payable by counties for defraying expenses of controllers' association's annual meeting and decreasing the number of days attendance at such annual meeting

He also, from the Committee on Local Government, reported as amended, House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association

He also, from the Committee on Local Government, reported, as amended, House Bill No. 242, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the formation of a State Association of Recorders of Deeds providing for the payment by counties of certain expenses in connection therewith and renumbering certain existing sections

He also, from the Committee on Local Government, reported as amended, House Bill No. 300, entitled:

An Act to add sections ninety-nine point one, ninety-nine point two and ninety-nine point three to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the payment of expenses of sheriffs at meetings of their State associations, increasing the number of days for such meetings and the allowable expenses for holding the same.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing the limitation on the amount which may be spent for hotel and traveling expenses,

He also, from the Committee on Local Government, reported as committed, House Bill No. 902, entitled:

An Act to amend sections one and two of the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management

of said jails or county prisons" by changing membership of the board of inspectors and provisions relating to fixing salaries of warden deputies assistants and keepers

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 443, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by excluding as subjects of taxation income derived from investments and income derived from the sale or exchange of property.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 427, entitled:

An Act requiring political subdivisions to record a certified copy of any ordinance or resolution and amendments thereto, under which real estate is appropriated for public purposes in the office of the recorder of deeds of the county in which such real estate is situate; providing for indexing thereof; and the effect of the failure to record.

Mr. STIEFEL, from the Committee on Corporations reported as committed, Senate Bill No. 772, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common cariers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corpations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages, providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by defining the fair value of the property of a public utility and providing that just and reasonable rates shall be such as provide a fair return upon the fair value of the property as so defined.

Mr. BLASS, from the Committee on Constitutional Changes and Federal Relations, reported as committed, House Bill No. 1256, entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain revenues for the acquisition of bridges and toll bridges.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 679, entitled:

An Act to further amend sections one and two of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344 No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," by further prescribing the rights of married women relating to their conveyances and mortgages of real properay and certain of their contracts; and validating certain deeds mortgages and written instruments of married women and rights and titles to real property acquired thereunder.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 597, entitled:

An Act to further amend sections one and two of the act approved the fifth day of June, one thousand nine hundred thirty-five (P. L. 266) entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices, in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," by extending the right of action, created by said act, to certain parties in interest.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 854, entitled:

An Act to amend subsection two of section two of the act, approved the tenth day of July, one thousand nine hundred forty-one (P. L. 307), entitled "An act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledge, and to make uniform the law with reference thereto," by clarifying interest rate which may be charged on trust receipt transactions.

He also, from the Committee on Judicary General, reported as committed, Senate Bill No. 266, entitled:

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes; and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purpose," by further regulating the returns of taxable property and the payment of taxes by certain taxable property and the payment of taxes by certain taxpayers under the provisions of said act.

He also, from the Committee on Judiciary General, reported as committed, Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Comomnwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 906, entitled:

An Act to further amend clause (e) of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties, and citing certain acts for repeal," by excepting personal property held by husband and wife as joint tenants, with right of survivorship, from taxes imposed by said act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 862, entitled:

An Act establishing certain requirements of and providing for statements by certain individual sureties where real property is offered as security and making such statements a part of the bond or undertaking under which the same is given.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 924, entitled

An Act to provide for an additional law judge of the court of common pleas in the tenth judicial district.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 780, entitled:

An Act to further amend the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to scure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by further defining and regulation persons engaged in the sale of cigarettes authorizing the department to pay commissions on tax stamps purchased by distributors increasing fees providing for appeals from decisions and orders of the department authorizing the issuance of permits to out of State distributors.

Mr. PEELOR, from the Committee on Constitutional Changes and Federal Relations, reported as committed, Senate Bill No. 849, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to making the United Nations a law-making body with power to make and enforce laws against war.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid on the table:

ALDERMAN, SEVENTEENTH WARD, CITY OF READING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Franklin J. Moyer, 918 Union Street, Reading, Berks County, for appointment as Alderman in and for the Seventeenth Ward of the City of Reading, Berks County, until the first Monday of January, 1950, vice Ralph L. Moyer, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Randall J. Marsh, Stroudsburg, from March 24, 1948, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified.

Gordon E. Ulshafer, Nesquehoning, from March 24, 1948, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Joseph P. Flanagan, Wilkes-Barre, from March 24, 1948, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

William R. Toewe, East Stroudsburg, from March 24, 1948, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. DIEHM, from the Committee on Local Government reported as amended, House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three and four thousand three hundred twenty-four of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the retirement of firemen on pensions and requiring certain payments to be made to the Firemen's Pension Fund by cities

He also, from the Committee on Local Government, reported as amended, House Bill No. 161, entitled:

An Act to amend sections four thousand three hundred two and four thousand three hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of total service and in certain cases a minimum age, for police retirement

Mr. WATKINS, from the Committee on Education, reported as committed, House Bill No. 1014, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice and teaching of barbering the annual renewal of certificates and the eligibility requirements for examinations

He also, from the Committee on Education, reported as committed, House Bill No. 1018, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure or registration of persons who are less than twenty-one, but over twenty years of age.

Mr. LEADER, from the Committee on Education, reported as committed, House Bill No. 671, entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 585) entitled "An act prohibiting the use of the designation of "college" by any institution not conforming to the standards of a college prescribed by the State Council of Education and providing for injunctions and penalties" extending the provisions of the act to the use of the word "university"

Mr. HALUSKA, from the Committee on Education, reported as committed, Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

He also, from the Committee on Education, reported as committed, House Bill No. 509, entitled:

An Act to amend section six hundred fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the ratio of teachers to pupils in computing the real estate tax for school purposes in school districts of the first class.

Mr. ROSENFELD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 74, entitled:

An Act authorizing the judges of the courts of common pleas to create medical clinics for the examination of persons charged with the commission of criminal offenses prior to trial and of convicted persons prior to the imposition of sentence, and of children charged with delinquency; providing for the creation of joint medical clinics among the several counties, and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 562, entitled:

An Act regulating the suspension removal or reduction in rank and furloughing and in certain cases the reinstatement of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members.

He also, from the Committee on Local Government, reported as committed, House Bill No. 651, entitled:

An Act ascertaining and appointing the fees to be received by the prothonotaries of the courts of common pleas of the Commonwealth in counties of the first class; and providing for the time of paying the same.

Mr. TARR, from the Committee on Education, reported as committed, Senate Bill No. 703, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

He also, from the Committee on Local Government, reported as committed, House Bill No. 908, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," declaring a vacancy in the office of county commissioner and auditor in case of failure to qualify or if no successor is elected; regulating letting of contracts in counties having county auditors; and providing for fixing salaries of employes of workhouses.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1220, entitled:

An Act to amend subsection (a) of section three hundred eight of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and lines on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the time for giving delinquent taxables notice of the entry of tax claims extending the time for making returns and transfers of taxes to and for giving notices of tax claims by the tax bureau validating ratifying and confirming such actions though not performed within the time prescribed by said act providing for the sale of properties against which such tax claims are filed and reinstating and validating the liens of such taxes which have been lost

Mr. HOLLAND, from the Committee on Education, reported as committed, Senate Bill No. 853, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

He also, from the Committee on Education, reported as committed, House Bill No. 226, entitled:

An Act to amend section nine hundred three of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the expenses allowed to school directors for attending annual conventions of school directors

He also, from the Committee on Education, reported as committed, House Bill No. 337, entitled:

An Act to amend section two thousand four hundred thirty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the Public School System including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the auditors in school districts of the second and third classes to publish annual financial statements and providing penalties

Mr. BARR, from the Committee on Local Government, reported as committed, House Bill No. 988, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pension for such employes and providing for the payment of the cost thereof" as amended to further define insurance companies authorized to make such contracts of insurance

He also, from the Committee on Local Government, reported as committed, House Bill No. 989, entitled:

An Act to amend section one thousand one hundred and thirty-seven of Article XI and subsection XXX of section one thousand two hundred and two of Article XII of the act of July tenth one thousand nine hundred forty-seven (P. L. 1621) entitled "An act to re-enact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' " further defining the types of insurance contracts that boroughs may provide for policemen employed by the borough and for volunteer firemen serving the borough

He also, from the Committee on Local Government, reported as amended, House Bill No. 127, entitled:

An Act to amend section two thousand one hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty one (.L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further limiting the hours of service of paid firemen and drivers regularly employed

Mr. MALLERY, from the Committee on Local Government, reported as amended, House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor districts auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Comonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to every county commissioner for expenses pertaining to the institution district for a temporary period.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act, approved the twenty-fourth day of June, one thou-

sand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district for a temporary period.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, am I in order to interrogate the gentleman from Allegheny County on the subject of reporting out House Bill No. 127, and its contents?

Mr. WALKER. Mr. President, I presume the gentleman from Cambria is referring to the gentleman from Allegheny, Senator Barr, and I yield to Senator Barr at this time.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Barr, permit himself to be interrogated?

Mr. BARR. I will, Mr. President.

Mr. HALUSKA. Mr. President, did the gentleman from Allegheny, Senator Barr, report out House Bill No. 127, as amended?

Mr. BARR. I did, Mr. President, as amended.

Mr. HALUSKA. Mr. President, can the gentleman from Allegheny tell the Senate what amendments the bill carries?

Mr. BARR. Mr. President, I cannot in its entirety.

Mr. HALUSKA. Mr. President, can the gentleman from Allegheny report partially?

Mr. BARR. Mr. President, may I say to the gentleman from Cambria, this morning we discussed, I think, probably fifty bills in committee, and I would not feel free to discuss just what was in that amendment, because my memory may be bad.

Mr. HALUSKA. Mr. President, I have been informed that House Bill No. 127 passed the House by a vote of 153 to 23. I have been informed this morning that this bill had been amended in committee, with a $2,000,000 appropriation attached to it. If that is correct, I object very seriously to that bill being so emasculated.

This bill, Mr. President, affects third class cities, the firemen in third class cities, and while the Nation is asking for shorter hours, coal miners are asking for thirty hours a week, other help forty hours a week, and the firemen of third class cities are only asking this body to cut down their time to sixty hours a week. They are very modest in their request, and the bill passed the House in that manner.

Now, Mr. President, I am informed that the Committee on Local Government has amended the bill with a $2,000,000 appropriation attached to it, which definitely kills the bill. In the budget we have no place for that appropriation, and I am certain somebody must be under some misapprehension. I am sure that every man on that committee realizes the importance of this bill, and I trust that that amendment may be withdrawn, and the bill may be reported out as it passed the House. This means a great deal to all of the firemen in cities of the third class. We have two third class cities now that are operating on a forty-eight hour week, and one on a fifty-two hour a week basis. Dauphin County, Cambria County, and many others are operating now on a seventy-two hour a week basis.

Now, Mr. President, these men are only asking to work out their own problems. They want no appropriation. The Commonwealth cannot afford an appropriation. They only wish to be put down on a sixty hour a week basis, and I cannot understand why the committee would try to kill that bill by adding that $2,000,000 appropriation.

Mr. President, I cannot do a thing about it now. I must follow the procedure of the bill to see where it stops, and then determine the reason for this appropriation.

Mr. WALKER. Mr. President, may I interrogate the gentleman from Cambria?

The PRESIDENT. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to apologize to the gentleman from Cambria as to his threshold remarks, which I did not quite understand. As I understand it, the bill was just reported from committee today.

Mr. HALUSKA. That is right, Mr. President.

Mr. WALKER. I just want to ask the gentleman from Cambria if he wants to have the committee reconsider its action.

Mr. HALUSKA. That is right, Mr. President.

Mr. WALKER. I just wondered, Mr. President.

Mr. STEVENSON. Mr. President, may I interrogate the gentleman from Cambria?

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. Yes, Mr. President.

Mr. STEVENSON. Mr. President, I desire to ask the gentleman from Cambria if he is familiar with the law at the present time, whether or not he does not know that the third class cities have the power and the right to adjust the hours of the firemen.

Mr. HALUSKA. I did not know that, Mr. President, no.

Mr. STEVENSON. Mr. President, for the information of the gentleman from Cambria, Mr. Haluska, that has been done in a great many of the cities where they now have the same number of hours, and for the further information of the gentlemen from Cambria, the Committee on Local Government decided that if these people could not persuade their own local governments to give them these hours, then it was not the province of the Commonwealth to knock them over the head and say they must do this. In other words, that interferes with hom rule, and I believe that most of us here are in sympathy with home rule in matters of local government. The Committee decided that should this bill be enacted and the Commonwealth compel these cities to do this thing, knowing as we did the cost that it would bring about in the various cities—

Mr. HALUSKA. Mr. President, I am following the thought of the gentleman very carefully, but the background noise is just out of this world and I cannot hear him.

Mr. STEVENSON. Mr. President, the Committee felt that if we were to compel the local governments to adopt such resolutions and ordinances which would cost them considerable money, then the Commonwealth should follow up by providing the money to meet the demand when these local units tell us they do not have the money. Consequently, Mr. President, the amendment was placed in this bill in the sum of two million dollars be appropriated for this purpose.

Mr. HALUSKA. Mr. President, it seems to me very clearly and definitely that that sounds the death knell to this bill. When the House passed this bill, they did not think of an appropriation, they thought like the gentleman from Clinton, that it is a local problem and that they should work it out themselves. They are asking for a law to be placed upon the statute books where they will work sixty hours per week, and they themselves determine how to finance it, and the bill should pass in that manner. That is my point. Why put a rider to the bill, bringing the Commonwealth into it, knowing full well that the Commonwealth will not help to finance the wages of any one group in any one city? That is discrimination. They are not asking for an appropriation, they are only asking you, Mr. Stevenson, to pass this bill giving them the right to work out their own problem up to sixty hours a week.

Mr. STEVENSON. Mr. President, for the information of the gentleman from Cambria, I have been opportuned by the third class cities, who have to raise this money, telling us that they are unable to make provisions for this amount of money. They know they have the right to grant these hours, and we are fully in sympathy with their doing so. However, we think the proper place for these demands to be made is not in the Legislature, but back in the communities affected where the money is to be raised, and they know how they are going to raise it, or whether they can raise it. Let them run their own government, they have that right, and that power, and we believe that it should stay there, but if we do pass this type of legislation, then the Commonwealth should pay the bill.

Mr. HALUSKA. Mr. President, to close off this debate in a hurry, I have no desire to argue with the gentleman from Clinton, Mr. Stevenson, but the law reads very clearly right now. The firemen in third class cities shall, on the day shift, turn in sixty hours a week, and on the night shift, eighty-four hours a week. The bill before us, or as it is reported out today, rather has an amendment from sixty hours to fifty hours in the daytime, and from eighty-four hours to seventy hours at night time, or an average of sixty hours per week.

Now, Mr. President, if they had that right, this bill would not be before this body today because the law is very clearly written, and they are only asking us to cut it down to sixty hours a week, and then they must work out their own problem without any financing from the state. Surely in this modern day we must realize the fact that eighty-four hours a week is not for humanity, for any one. It is the only group of employes I know of today that are working eighty-four hours a week, and that is why they have come to us and asked us to change this law, and then they will work out their own problem, by adding an appropriation to the bill, that is sounding the death knell. It does not help these men whatsoever.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I desire to make a few remarks prior to the introduction of this bill. It follows a pattern, Mr. President, that is frequently practiced here in the General Assembly. It permits the Secretary of Property and Supplies to convey or lease a certain tract of land in Allegheny County to the Federal Government.

Mr. President, I would like to say for the benefit of the Senate, in the hope that whatever committee it goes to, that the chairman will recognize the bill when it gets to him, this is to permit the Federal Government to purchase a tract of land in Allegheny County, upon which they are desirous of constructing military installations. We discover that under the law, the government cannot during time of peace construct military installations without a permit from the Commonwealth, and this will permit us to complete the military installations in Allegheny County, so that Pittsburgh can be protected at all times, and following the procedure, Mr. President, I would like to have this bill passed.

BILLS INTRODUCED AND REFERRED

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 926, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey or to lease subject to certain terms and conditions a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegreny, Pennsylvania.

Which was committed to the Committee on State Government.

Messrs. DONLAN and TARR read in place and presented to the Chair Senate Bill No. 927, entitled:

An Act relating to the issuance of liquor and malt or brewed beverage licenses to clubs and other organizations regulating the purchase possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies restricting the issuance of licenses to clubs not included among said units conferring powers and imposing duties on the Pennsylvania Liquor Control Board and prescribing penalties.

Which was committed to the Committee on Law and Order.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 928, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further defining "Judgment", requiring additional information in accident reports; providing for the determina-

tion of security by the secretary; providing for proof of financial responsibility in additional cases; providing penalties for furnishing false information and changing effective date of said act.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 929, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements for accident reports.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 930, entitled:

An Act to reenact and amend the title, and to reenact the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties."

Which was committed to the Committee on Judiciary General.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 931, entitled:

An Act to further amend section two hundred one of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 932, entitled:

An Act to amend section two hundred one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by further defining real estate to be valued and assessed for taxation.

Which was committed to the Committee on Local Government.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 933, entitled:

An Act to amend section five hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by making more inclusive the territory which may be annexed to any city of the third class.

Which was committed to the Committee on Local Government.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 934, entitled:

An Act to further amend section seven of the act, approved the fourteenth day of May, one thousand nine hundred forty-seven (P. L. 249), entitled as amended "An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined, prepared, used, sold, transported or delivered within the Commonwealth and by others; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale, and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties," by allowing a credit for breakage on inventory as of the effective date of original act.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 935, entitled:

An Act providing for the insurance of certain mortgages on residential dwellings, creating the State Mortgage Insurance Commission as a departmental administrative board in the Department of Commerce and the State Mortgage Insurance Fund for the administration and financing of such purpose; defining the powers and duties of such commission and the State Treasurer in relation thereto; providing for the payment of such insurance under certain circumstances; and making an appropriation.

Which was committed to the Committee on Insurance.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 936, entitled:

An Act to amend sections, two, three, four, five, six, seven and eight of the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining substandard anthracite; requiring producers, dealers and persons engaged in the sale of anthracite to issue certain statements and keep certain records; and changing penalties.

Which was committed to the Committee on Mines and Mining.

Mr. RUTH (by request) read in his place and presented to the Chair Senate Bill No. 937, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by granting reimbursement for expenses to city officers.

Which was committed to the Committee on Local Government.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 938, entitled:

An Act providing for an accelerated course of training for student nurses in certain emergency areas, imposing duties on the Secretary of Welfare; and making an appropriation.

Which was committed to the Committee on Education.

Mr. LANE (by request) read in his place and presented to the Chair Senate Bill No. 939, entitled:

An Act making bonds of school districts valid and binding obligations of such districts despite failure to advertise election in a newspaper of general circulation.

Which was committed to the Committee on Judiciary General

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I believe it was yesterday that the Majority Party presented to this august body the Administration Rent Control Act, and we of the Minority Side, are to present our views on this subject. It has entailed considerable work, and it is my honor and privilege to present this piece of legislation, which creates a State Rent Control Board, which shall consist of the Members of the State Board of Housing, as said Board is now or may hereinafter be constituted, which shall be a departmental administrative board, within the Department of Commerce. It also creates the Office of State Rent Control Commissioner, or Executive Director of the State Rent Control Board, who shall be the Executive Director or the Secretary of the State Board of Housing.

Mr. President, in each county of this Commonwealth, there is created a County Rent Control Board, which shall consist of the County Commissioners of each of the said counties, as said Commissioners are now or may hereinafter be constituted. We, of the Minority Side, take the position that if the Majority Party, and the Membership of the Committee, will consider both bills in detail, it may be possible that Pennsylvania will have a real Rent Control Act.

Mr. President, the provisions of the law which I am about to present expire on June 30, 1951. I believe it is comparable to the one that was submitted yesterday. So, on behalf of my colleagues, Senator Haluska, Senator Dent, and myself, I rise in place and present to the Chair the Minority Party's Rent Control Act.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, HALUSKA and DENT read in place and presented to the Chair Senate Bill No. 940, entitled:

An Act to regulate control and stabilize rents and possession of housing space and living accommodations, during existing public emergency; establishing the office of State Rent Control Commissioner and the State Rent Control Board; granting said board power to administer this act as a departmental administrative board within the Department of Commerce; and prescribing duties; creating temporary County Rent Control Board; and prescribing their powers and duties; providing penalties; and making an appropriation therefor.

Which was committed to the Committee on State Government.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 941, entitled:

An Act to amend section six hundred ninety-nine point four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by authorizing the production and performance of civic operation between certain hours on Sundays.

Which was committed to the Committee on Law and Order.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 942, entitled:

An Act to amend section fifteen of article nineteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of the Commonwealth of Pennsylvania", by providing for a probationary period of six months upon the appointment or promotion of any police officer or fireman.

Which was committed to the Committee on Local Government.

REPORT FROM COMMITTEE

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE on behalf of Mr. MAHANY, from the Committee on Local Government reported as amended, House Bill No. 629, entitled:

An Act to further amend sections one thousand one hundred one and one thousand one hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for petition to quarter sessions court when township supervisors fail or refuse to act upon petition of property owners to survey lay out open widen straighten vacate or relay township roads

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, the right of petition is the part of our system that makes our form of government the strongest in the world today.

The Public Utility Commission, in their arrogant disregard of the request of the people affected by Philadelphia Electric increase in rates of $9,587,541 to the 856,-365 users of electrical energy, has acted like the Totalitarian dictators of the Soviet Union.

The Public Utility Commission is an arm of the General Assembly. Although we have delegated power to them, we still maintain that power if we so wish to make or regulate rates.

Therefore, Mr. President, I am presenting this Resolution requesting the Public Utility Commission to suspend the effective date of the increase until the Public Utility Commission has heard in open hearings the pro and con on the increased tariffs. This is the intent of the Public Utility Act.

I want to pay tribute to the lone dissenter of the ruling of the Commission, Commissioner John B. Conly, who from his actions has shown that he alone interprets the duty of a Public Utility Commissioner, as written in the Act.

Mr. President, yesterday on the Floor of the Senate, the gentleman from Philadelphia, Mr. Kephart, agreed to join me in a bill. Unfortunately, we cannot agree, because he wants to include also the rights of the taxicab companies and the Philadelphia Transportation Company. I believe that to put in all three at this time would be very confusing, especially with the taxicab companies, because taxicabs are something that are not used by all the people; the taxicab is really only used for accommodation of those who have the extra money to spend for transportation, and due to the fact that we have to act quickly on the increase asked by the Philadelphia Electric Company, I insist that my resolution pertain only to the increase asked by the Philadelphia Electric Company.

Mr. President, I rise in place and present to the Chair the following resolution, and ask for its immediate adoption.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

Urging the Public Utility Commission to Postpone the Effective Date of the Rate Rise For the Philadelphia Electric Company

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, April 13, 1949.

Whereas, the Pennsylvania Public Utility Commission has granted to the Philadelphia Electric Company, an increase in tariff, effective April 18, 1949, which will increase that Company's gross revenue an estimated $9,587,-541 annually, and

Whereas, This increase was granted without holding any public hearing and no opportunity was given those opposed to the increase to present evidence disputing the necessity of it, and

Whereas, The affects of such an increase fall upon every individual in the Philadelphia area, and

Whereas, The action of the Pennsylvania Public Utility Commission was legislative in character, since the commission acts for the Legislature of Pennsylvania in exercising the police power of the State insofar as immediate action with Public Utilities are concerned, therefore be it

Resolved (if the House of Representatives concur), That the effective date of the increase be postponed for a period of eight days and that in the meantime the Public Utility Commission shall hold a public hearing, affording an opportunity to the elected officials of Philadelphia, the Chamber of Commerce of Philadelphia, the labor unions, the political parties, and all civic bodies or other interested parties of Philadelphia, to be heard and present evidence, and that the Pennsylvania Public Utility Commission determine the necessity of a new tariff, after such hearings has been held.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I appreciate all the various fine things that the gentleman from Allegheny, Senator Holland, said on the Floor of this Senate about my very good friend and law partner, Commissioner Conly. I might say to the gentleman from Allegheny that as long as Commissioner Conly remains on the Commission, I think the same fine things can be continued to be said about him. He reflects that old Pinchot training that has been so remarkably demonstrated through the years here on the floor of the Senate.

In the face of those remarks, Mr. President, you can just imagine my mingled emotions when I must object to immediate consideration of the resolution presented by the gentleman from Allegheny, Senator Holland.

The PRESIDENT. The resolution is referred to the Committee on Corporations.

INTERROGATION

Mr. HOLLAND. Mr. President, will the Majority Floor Leader permit himself to be interrogated.

Mr. WALKER. I will , Mr. President.

Mr. HOLLAND. Of course, Mr. President, I am awfully glad that our Majority Leader still has some love in his heart for those people who were the crusading people of Pennsylvania, the followers of Gifford Pinchot. It is too bad Senator Taylor is not here today sitting in his seat to hear that remark, because I know that he, and Mr. Diehm, Mr. Doehla and quite a few others—Senator Frazier is standing up, maybe he wants to be included—if I have missed any more of great old Pinchot supporters, just let them be announced, and I will be glad to give them credit.

Mr. President, is the gentleman from Allegheny aware that if we do not do something today, these rates will go into effect next Monday.

Mr. WALKER. Mr. President, I appreciate the fact that time is probaly the essence in matters of this type, but I do not know just what the resolution would do even if we passed it right now, and I invite the attention of the gentleman from Allegheny to the fact that a dirctorate or a mandate to the Public Utility Commission would have to be a concurrent resolution, because we are only a small percentage of the General Assembly; the House, in its dignity and its majesty, must concur in the resolution before it can be brought to the attention of the Public Utility Commission, and I have been advised that the House—I do not know whether or not they are still in Session or if they have adjourned for the week.

The gentleman from Philadelphia, Senator DiSilvestro, advises me that they have adjourned, and therefore I do not think anything can be accomplished this afternoon by a resolution of this type.

Mr. President, I appreciate what the gentleman from Allegheny is trying to do, and I assure him that he has my sympathetic cooperation, but much as I hate to repeat on the Floor of the Senate, the rules of the Senate must be observed.

Mr. HOLLAND. Mr. President, I appreciate the sympathetic feelings of the gentleman from Allegheny, but sympathetic feelings do not cut the rates.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, last evening when the gentleman from Allegheny, Senator Holland, asked me to co-sponsor a bill in connection with this subject matter, I agreed, provided he would include the traveling public in Philadelphia whose rates are also being increased by the PTC and the Yellow Cab Company. He has not included them in his resolution, and I have a similar resolution which has them included, and which he does not agree to go along on, obviously for the reason, as he has shown, he was not interested in the traveling public of Philadelphia.

Mr. President, I therefore present to the Chair this resolution and move its immediate adoption.

SENATE CONCURRENT RESOLUTION

Urging the Public Utility Commission to Postpone the Effective date of Any Rate Rise For a Period of Eighty Days From the Date on Which Such Rate Rise Was Filed in Order to Hold Hearings, Hears Protests, Etc.

Mr. KEPHART offered the following resolution which was twice read as follows:

In the Senate, April 13, 1949.

Whereas, the Pennsylvania Public Utility Commission has granted to the Philadelphia Electric Company, an increase in tariff, effective April 18, 1949, which will increase that company's gross revenue an estimated $9,587,-541 annually, and

Whereas, This increase was granted without holding any public hearing and no opportunity was given those opposed to the increase to present evidence disputing the necessity of it, and

Whereas, similar increases in tariffs have been permitted or are pending with respect to the Philadelphia Transit Company and the Yellow Cab Company, and

Whereas, The effects of such increase fall upon every individual in the Philadelphia area, and

Whereas, The action of the Pennsylvania Public Utility Commission was legislative in character, since the commission acts for the Legislature of Pennsylvania in exercising the police power of the State insofar as immediate action with Public Utilities are concerned, therefore be it

Resolved (if the House of Representatives concur), That the effective date of the increases be postponed for a period of eighty days from the date on which such tariffs were filed and the public notified that it could come in and protest, and that in the meantime the Public Utility Commission shall hold public hearings, affording an opportunity to the elected officials of Philadelphia, the Chamber of Commerce of Philadelphia, the labor unions, the political parties and all civic bodies or other interested parties of Philadelphia to be heard and present evidence, and that the Pennsylvania Public Utility Commission determine the necessity of new tariffs, after such hearing has been held.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. KEPHART. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I have two observations that I would like to make to the gentleman from Philadelphia.

First, I think, Mr. President, we made a mistake trying to raise the salaries of the Public Utility Commission. It looks like we are all trying to get on the Commission.

Secondly, Mr. President, I would like to call to the attention of the Members of this Senate the fact that the Gentleman from Philadelphia did not even say a kind word about my friend and law partner, Commissioner John B. Conly.

Therefore, Mr. President, it is with emotions that are not mingled that I object to immediate consideration of this resolution.

The PRESIDENT. The resolution is referred to the Committee on Corporations.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, just to correct one of those little innuendoes that was made by the gentleman from Philadelphia, Senator Kephart, I am interested in mass transportation in Philadelphia, that is why I tried my best to help defeat his bill, so that when they go on strike, under a law passed by Mr. Kephart, the men who are on strike can say, "Mr. Kephart, the great Senator from Philadelphia passed a law telling us that after sixty days we must go on strike."

Mr. President, I will be very glad to go to Philadelphia and help him settle that strike.

EXECUTIVE NOMINATIONS

RULE 38 SUSPENDED

A motion was made by Mr. LORD, JR. and Mr. MALLERY, To grant unanimous consent to immediate consideration of the nominations just reported from the Com-

mittee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at todays session.

Which was agreed to.

The Clerk read the nominations as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 4, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Randall J. Marsh, Stroudsburg, from March 24, 1948, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified

Gordon E. Ulshafer, Nesquehoning, from March 24, 1948, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

Joseph P. Flanagan, Wilkes-Barre, from March 24, 1948, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified.

William R. Toewe, East Stroudsburg, from March 24, 1948, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

ALDERMAN, SEVENTEENTH WARD, CITY OF READING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Franklin J. Moyer, 918 Union Street, Reading, Berks County, for appointment as Alderman in and for the Seventeenth Ward of the City of Reading, Berks County, until the first Monday of January, 1950, vice Ralph L. Moyer, resigned.

JAMES H. DUFF.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr. MALLERY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER on behalf of Mr. ROSENFELD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 858, entitled:

An Act providing for the recovery of certain consequential damages in eminent domain proceedings in certain cases.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 456, PRINTER'S No. 241

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 456, Printer's No. 241, for the purpose of further study.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

RECALLING NOMINATION OF MEMBER OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHER'S COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on January 4, 1949, for the appointment of Lloyd Yeisley, Pen Argyl, Northampton County, as a Member of the Board of Trustees of East Stroudsburg State Teachers' College.

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of Clarion State Teachers' College, to serve until the third Tuesday of January, 1955, and until their successors shall have been appointed and qualified:

Major Raymond E. Brown, Brookville, Jefferson County.

Samuel Breene, Esq., Oil City, Venango County.

JAMES H. DUFF.

MEMBER OF PIKE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert M. Young, (Republican), Porter Township, Pike County (P. O. Marshalls Creek, Monroe County), for appointment as a Member of the Pike County Board of Assistance, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Jennie Carlton, Greentown, resigned.

JAMES H. DUFF.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merhill S. Brodrick, Mansfield, Tioga County, for reappointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 13, 1949.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Miss Archangel P. Albanese, Pittsburgh, 1208 Berger Bldg.
Mrs. Helen K. Bourse, Pittsburgh, 3763 Bigelow Blvd.
Miss Marie A. Brednich, Pittsburgh, Jones Law Bldg.

CLARION COUNTY

Donovan C. Edwards, Clarion

CUMBERLAND COUNTY

Ray W. DeVenney, Carlisle

DELAWARE COUNTY

John S. Mecleary, Jr., Upper Darby Twp., Upper Darby
Francis J. Murphy, Springfield Twp., Springfield
Mrs. Thelma R. Orr, Prospect Park

FAYETTE COUNTY

Mrs. Jeanne M. Barney, Uniontown
Miss Genevieve Fabian, Luzerne Twp., New Salem

FRANKLIN COUNTY

Mrs. Charlotte M. Murphy, Chambersburg

LANCASTER COUNTY

H. C. Dodge, Manheim Twp., Neffsville
Miss Lorraine B. Engler, Lancaster
Joseph H. Schneitman, Eizabethtown

NORTHAMPTON COUNTY

Fred C. Finken, Jr., Easton

PHILADELPHIA COUNTY

Mrs. Marie S. Bayer, Rm. 1205, 18 W. Chelten Ave.
Miss Rita Laura Gill, Rm. 702, 1649 N. Broad St.
Miss Paula Joyce, 2901 Phila. Saving Fund Bldg.
John A. Merlino, 2255 S. Beechwood St.
Mrs. Mary Neri, 3655 Old York Rd. (40)
T. Gilbert Perch, 3146 W. Diamond St. (21)
Andrew J. Rocks, 2616 N. 22d St.
Boris Smarkola, 1951 E. Cambria St. (34)
Francis H. Van Zandt, 709 E. Allegheny Ave.
Maurice L. Van Zandt, 709 E. Allegheny Ave.
H. J. Watson, Jr., 701 Public Ledger Bldg. (6)

SOMERSET COUNTY

James E. Woods, Windber

YORK COUNTY

Miss Sara P. Geltz, York
Miss Geraldine F. Wagner, York

To compute from dates set opposite their names

DELAWARE COUNTY

F. L. Clark, Media, April 14, 1949

LUZERNE COUNTY

Mrs. Mildred M. Common, Wilkes-Barre, April 16, 1949

MONTGOMERY COUNTY

James A. Lynch, Conshohocken, April 17, 1949.

LANCASTER COUNTY

Paul W. Felker, Lancaster, April 18, 1949

JAMES H. DUFF.

CONSIDERATION OF NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. PECHAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 114, entitled:

An Act to add section six hundred two point two to the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with the district.

House Bill No. 153, entitled:

An Act to further amend section twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

House Bill No. 167, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

House Bill No. 190, entitled:

An Act to amend section one of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the department of Welfare," by limiting the power of State aided hospitals to increase its staff of physicians and internes; imposing duties on the Department of Welfare.

House Bill No. 228, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by requiring school disricts sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis, to pay to the receiving district such charge or rental for each pupil sent.

House Bill No. 279, entitled:

An Act to amend section two thousand two hundred one, two thousand two hundred four and two thousand two hundred six of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by authorizing the creation of bureaus of mine inspection and surface support by cities within bituminous regions, and regulating mining and the removal of natural surface support in cities.

House Bill No. 287, entitled:

An Act to further amend section five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties" prescribing minimum penalties.

House Bill No. 289, entitled:

An Act to further amend section three of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties, prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," extending the provision thereof to measuring devices.

House Bill No. 518, entitled:

An Act to further amend subsection (a) of section three hundred four, sections three hundred eight point one, and three hundred nine, and to add section three hundred nine point two to the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation

Law," by further regulating assessment of contributions by employers failing to file a report; further limiting the filing of liens; further regulating the collection of contributions, interest and penalties from employers; prescribing limitations upon enforcement of payments by employers of contributions, interest and penalties.

Senate Bill No. 546, entitled:

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled" An act relating to roads, streets highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," so as to remove the limit of expenditures of Commonwealth funds for highway purposes on streets in cities of the first class.

House Bill No. 553, entitled:

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "Banking Code," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

House Bill No. 554, entitled:

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

Senate Bill No. 658, entitled:

An Act to further amend sections two thousand six hundred twenty-three and two thousand six hundred twenty-eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors in districts of the third and fourth class.

Senate Bill No. 683, entitled:

An Act to amend subsection A of section three point one and to add section three point two to the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing for joinder in existing authorities by additional municipalities; and making provision for the amendment of incorporation by an authority

House Bill No. 792, entitled:

An Act to amend section three of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (Penicillin), and its derivatives, preparations and compounds in the interest of public health," by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

House Bill No. 933, entitled:

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled 'Banking Code," by providing for the voluntary liquidation and dissolution of banks, bank and trust companies, and trust companies and repealing certain acts and parts of acts.

House Bill No. 991, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 735), entitled "An act relating to milk; providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk and cream; providing penalties for the violation thereof; and providing for the enforcement thereof," by defining skim milk and providing for methods of standardization of milk.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same

REPORT FROM COMMITTEE

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Judiciary General reported as amended, Senate Bill No. 609, entitled:

An Act to further amend section one thousand two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further defining the nearest available magistrate before whom persons charged with violations must be brought in certain cities.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 176, entitled:

An Act validating certain sheriff's sales of real estate for non payment of taxes and other municipal liens and validating the title to such real estate in the hands of purchasers their heirs grantees and assigns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All sheriff's sales of real estate for the nonpayment of taxes sewer liens pavement liens and other municipal liens heretofore held under the provisions of any act of Assembly where the liens for such taxes and other municipal claims were filed and where the taxes assessed or other municipal claims were actually due and unpaid are hereby made valid notwithstanding the fact that prior to such sales executions upon any judgments recovered upon any such taxes and other municipal claims have been by writ or fieri facias instead of by writ of levari facias and the titles to all such real estate in the hands of the purchasers thereof their heirs grantees and assigns are hereby declared to be good and valid to all intents and purposes

The provisions of this act shall not apply in any instance where the validity of any such sale or the title to the premises purchased thereat has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO HOUSE BILL NO. 176 RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 176.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 245, as follows:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hunderd seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain members on retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 407) and the act approved the third day of May one thousand nine hundred forty-five (P. L. 409) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desire to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannaution a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provision of section eleven of this act

(d) In addition thereto in the event of the retirement of a contributor prior to September first one thousand nine hundred fifty if a member of the one one-hundred-sixtieth (1/160) class or in the event of such retirement on and after July first one thousand nine hundred fifty if a member of the one one-hundred fortieth (1/140) class a further State annuity which shall be equivalent to the amount if any by which the superannuation re-

tirement allowance otherwise payable is less than one thousand two hundred dollars ($1200) where the contributor has forty years or more of credited service in this Commonwealth or if less than forty years of such service then such proportional amount of such one thousand two hundred dollars ($1200) as the years of such credited service bear to forty years

4 Any person sixty-two years of age or older who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than two whole school years or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physcial or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each years of school service but not less than twenty-five dollars ($25) per month if such former teacher shall agree in writing and hold himself or herself ready under the director of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

Any employe on retirement for superannuation who returns to active school service during the continuation of World War II shall not upon return to retirement for superannuation receive any smaller retirement allowance than that received prior to such return to active school service

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 245

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 245.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 246, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service or on reduced allowances after twenty-five years of such service increasing the scale of disability benefits and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of subsection 3.1 subsection 5 the second paragraph of subsection 6 subsections 3.1 and 8 of section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043)"An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from Taxation and judicial process and providing penalties" subsection 3.1 of which was added by the act approved the twenty-third day of May one thousand nine hundred forty-seven P. L. 284) subsections 5 and 6 of which were amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) subsection 3.1 of which was added by the act approved the second day of May one thousand nine hundred forty-five (P. L. 374) and subsection 8 of which was amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) are hereby amended or further amended to read as follows

Funds

Section 8

* * * * *

3.1

* * * * *

The amount so certified by the retirement board shall be computed to bear a ratio to the salaries earnable by new entrants during the period for which the amount is certified Provided That on and after the first day of July one thousand nine hundred fifty such amount shall bear a ratio to the total salaries earnable by all contributors during the period for which the amount is certified The ratio shall be computed as a level percentage of the prospective compensation of new entrants or of all contributors as the case may be and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest Such ratio shall be computed on the basis of each actuarial valuation and shall be determined by deducting from the present value of the liabilities of the contingent reserve account the sum of the assets credited to that account on the valuation date and dividing the remainer by the present value of the future salaries of new entrants who are then members or of all contributors as the case may be To facilitate the collection of such amounts the retirement board may use the payroll reported for the last valuation as the basis for contributions for a twelve month period

* * * * *

5 Beginning with the month of July [nineteen hundred nineteen] one thousand nine hundred nineteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board and approved by the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the Said Commonwealth shall pay semi-anually into the fund created by this act through the Department of Revenue an amount equal to two and eighth-tenth (2.8) per centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three per centum greater than the second preceding semiannual payment which amount shall be credited by the retirement board to a ledger account to be known as State Annuity Reserve Account Number Two Beginning with the month of July [nineteen hundred twenty-five] one thousand nine hundred twenty-five the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two an amount equal to two (2) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July [nineteen hundred thirty-three] one thousand nine hundred thirty-three the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two an amount equal to one and six-tenths (1.6) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July one thousand nine hundred fifty-one the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State Annuity Reserve Account Number Two such amount as shall be certified by the retirement board as necessary to provide the disability or superannuation State annuities allowable by the Commonwealth under the provisions of this act on account of present employes The amount so certified by the retirement board shall be computed to bear a ratio to the total salaries earnable by all contributors during the period for which the amount is certified The ratio shall be computed as a level percentage of the prospective compensation of such contributors and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest Such ratio shall be computed on the basis of each actuarial valuation and shall be determined by deducting from the present value of the liabilities of the State Annuity Reserve Account Number Two the sum of the assets credited to that account on the valuation date and dividing the remainder by the present value of the future salaries of such contributors To facilitate the collection of such amount the retirement board may use the payroll reported for the last valuation as the basis for contributions for a twelve month period Provided That in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such salary shall be used in computing such total compensation And provided That in every case the amount shall be sufficient when combined with that in the fund to the credit of said account to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his or her State annuity shall be charged to the State Annuity Reserve Account Number Two and paid from the fund created by this act

6

* * * * *

From the salary of each employe who is a contributor there shall be deducted and paid into the fund created by this act through the Department of Revenue such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement of age of sixty-two [and] an employes' annuity equal to one one-hundred sixtieth (1/160) of his or her final salary for each year of service after the thirtieth day of June [nineteen hundred nineteen] one thousand nine hundred nineteen or to procure for him or her on superannuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an employe's annuity equal to one one-hundred fortieth (1/140) of his or her final salary for each year of service after the thirtieth day of June one thousand nine hundred nineteen in the case of each contributor entering or reentering the retirement system on and after the first day of July one thousand nine hundred fifty and also in the case of each contributor originally carrying membership in the one one-hundred sixtieth (1/160) class who prior to the first day of July one thousand nine hundred fifty has elected and filed with Retirement Board such election to transfer to the one one-hundred fortieth (1/140) class and who contributes after the first day of July one thousand nine hundred fifty the per centum of his or her salary computed to be sufficient for new entrants of the one one-hundred fortieth (1/140) class as of age attained at nearest birthday of such transferred contributor at the date of transfer Provided That in the case of employes who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such percentage shall be computed on the basis of said salary And provided That in any case if the deduction so computed shall exceed five per centum of his or her earnable salary and the employe shall so elect there shall be deducted five per centum of his or her earnable salary Provided however That These privileges are not available to contributors in the one one-hundred fortieth (1/140) class And further provided That a beneficiary in the one one-hundred sixtieth (1/160) Class restored to school service shall not be permitted to transfer to the one one-hundred fortieth (1/140) class nor shall a beneficiary restored to school service be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

6.1 In addition to the regular contribution required

under clause six of this section any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employe in any public school or institution of such other classes as are at present included in the retirement system and who submits proof satisfactory to the retirement board of all or part of such service may make a lump sum payment computed to be sufficient with regular interest to procure for him or her on superannuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an additional employe's annuity equal to [one-eightieth (1/80)] one- seventieth (1/70) of his or her earnable salary during the first year of service in this Commonwealth for each of the years of such aforesaid proved service for which he or she shall elect to contribute Such additional contributions shall become a part of his or her accumulated deductions and shall be so treated except in case of disability retirement superannuation retirement or the receipt of an annuity upon resignation or dismissal when they shall be used to produce an additional annuity on the basis of such annuity tables as the retirement board shall approve Provided however That the state annuity part of the retirement allowance of any such contributor shall not be increased or affected by reason of said out-of-state service or of such contribution

* * * * *

8 No contributor shall be required to continue to contribute to the School Employes' Retirement Fund after he or she shall have become eligible for superannuation retirement all contributions made thereafter to said Fund shall be voluntary Provided however That this clause shall not apply to contributors in the one one-hundred fortieth (1/140) class

Section 2 Section twelve of said act as last amended by the acts approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 521) and the twenty-second day of May one thousand nine hundred forty-five (P. L. 827) is hereby amended by adding a new subsection 1.1 immediately after subsection 1 to read as follows

Withdrawal

Section 12

* * * * *

1.1 Should a contributor in the one one-hundred fortieth (1/140) class so separate from the school service after having completed twenty-five years of credited service in this Commonwealth before reaching age sixty-two or completing thirty-five years of credited service in this Commonwealth whichever is the earlier he or she shall be paid or receive a withdrawal allowance as he or she may elect as follows

(a) the full amount of the accumulated deduction standing to his or her individual credit in the employes' annuity savings account as of the date of such separation from school service or in lieu thereof should he or she so elect

(b) an annuity beginning immediately which shall be of equivalent actuarial value of said accumulated deductions and in addition a State annuity beginning immediately having a value equal to the present value of a State annuity beginning at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier calculated in accordance with the provisions of said act such State annuity shall be based upon the final salary of the withdrawing member and the years of credited service in this Commonwealth to the date of withdrawal from service and shall include any State annuity related to prior service or supplemental State annuity provided for in section fourteen The same options provided for in section fifteen of said act with respect to annuities payable on superannuation retirement shall be available in connection with any annuity entered upon under the provisions of this subsection.

Section 3 Subsections 1 and 5 of section thirteen of said act are hereby amended subsection 5 by adding thereto a new paragraph (c) to read as follows

Disability Retirement

Section 13 Retirement upon disability shall be made and discontinued as follows

1 Upon the application of a contributor who is an employe or of one acting in his or her behalf or upon the application of the employer of a contributor the retirement board shall retire said contributor on a disability allowance if he or she is under the age of sixty-two years or if a member of the one one-hundred fortieth (1/140) class and has not completed thirty-five years of credited service in this Commonwealth and is under the age of sixty-two years and on a superannuation allowance if he or she has attained or passed such age or completed such period of service provided the physician or physicians designated by said board after a medical examination of said contributor made at the place of residence of said contributor or at a place mutually agreed upon shall certify to the retirement board and that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and provided further that said contributor has had ten or more school years of school service

* * * * *

Allowance on Disability Retirement

5 On retirement for disability a contributor who is an employe shall receive a retirement allowance which shall consist of

* * * * *

(c) If however the contributor is in the one one-hundred fortieth (1/140) class a State annuity in lieu of the State annuity provided in paragraph (b) which together with the employe's annuity shall be sufficient to produce a retirement allowance of one-ninetieth (1/90) of his or her final salary multiplied by the number of his or her years of service but in any case not less than thirty-three and one-third per cent of said final salary except that in case thirty-three and one-third per cent shall exceed eight-ninths of the rate of retirement allowance to which the employe might have been entitled had retirement been deferred until age sixty-two or the end of thirty-five years of credited service in this Commonwealth whichever is the earlier then the State annuity granted shall be such as to make the rate of the total retirement allowance equal to eight-ninths of the rate of allowance to which the employe might have been entitled had retirement been deferred until age sixty-two or the end of thirty-five years of credited service in this Commonwealth whichever is the earlier

Section 4 Subsections 1 and 3 of section fourteen of said act as last amended by the acts approved the third day of May one thousand nine hundred forty-five (P. L. 407) and (P. L. 409) are hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannaution shall be as follows

1 Any contributor who is an employe sixty-two years of age or older or who is a member of the one one-hundred fortieth (1/140) class and has completed thirty-five years of credited service of the Commonwealth may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

* * * * *

Allowance on Superannuation Retirement

(3) On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

[(a) An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act]

I An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

II A State annuity the amount of which shall be determined as follows

(A) If the contributor is a member of the one one-hundred sixtieth (1/160) class

(a) A State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of service and

(b) In addition thereto if a present employe a further State annuity of one one-hundred sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act

(B) If the contributor is a member of the one one-hundred fortieth (1/140) class

(a) A State annuity of one-hundred fortieth (1/140) of his or her final salary for each year of service and

(b) In addition thereto if a present employe a further State annuity of one one-hundred (1/140) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section eleven of this act and

(c) In addition thereto an additional State annuity which shall be equivalent to the amount if any by which the employe's annuity is less than the State annuity for service rendered after the thirtieth day of June one thousand nine hundred nineteen

Section 5 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act it is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 246

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 246.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, as follows:

An Act to amend sections six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the levy and assessment of taxes on properties in school districts of the second class where such school districts are not wholly within a city and requiring the furnishing of county duplicates in such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventy-four and six hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well as to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 674 Property subject to tax districts second class in [all] school districts of the second class the school taxes shall be levied and assessed on the real estate and personal property therein as contained in the assessment used for tax purposes in the city borough incorporated town or township in which the school district is located where the school district of the second class is not located wholly within the boundary lines of a city the school taxes shall be levied and assessed on the real estate and personal property therein as contained in the assessment made for county tax purposes

Section 675 Certification of assessments etc districts second class In order to enable the board of school directors in [all] school districts of the second class to levy and assess the necessary school taxes required by such school district each year the city clerk or other proper official required by law to do so shall annually on or before the first day of April in each year at the expense of the city furnish to each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and a list of all residents or inhabitants made taxable in such school district of the second class stating the name of each taxable the valuation and kind of property assessed all of such real estate personal property and residents or inhabitants are hereby made taxable for school purposes in each such school district of the second class The properly certified duplicate herein required to be furnished each school district of the second class at the expense of the city shall consist of a bound book printed and indexed according to the form to be submitted by the secretary of the board of school directors of each such school district to the city clerk or other proper official on or before the first day of January of each year Provided That in all cases where a school district of the second class is not located wholly within the boundary lines of a city The county commissioners or other proper officials in the county shall at the expense of the county furnish to the school district a properly certified duplicate of the last adjusted valuation of all real estate personal property and residents or inhabi-

tants made taxable for county purposes in such school district

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 26, on third reading, entitled:

An Act to further amend subsection (j) of section two of the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," further defining "club."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 27, on third reading, entitled:

An Act to further amend paragraph three of section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further defining "Club."

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 72, as follows:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the maximum aggregate number of officers and men in the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsyl-

vania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of eight thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of seven thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time [one thousand six hundred] one thousand eight hundred (1800) persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 82, on third reading, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 956) entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes" by increasing certain fees fixed by said act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 328, as follows:

An Act making appropriations to the Department of Property and Supplies and the Pennsylvania Historical and Museum Commission to be used to purchase property in Montgomery County Pennsylvania and in restoration work at Pottsgrove Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand nine hundred ($5900) dollars or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to be used to purchase a property and the buildings thereon situated in Montgomery County near Pottstown Pennsylvania and adjoining the Pottsgrove memorial now owned by the Pottstown Historical Society

Section 2 The Secretary of Property and Supplies is hereby authorized with the approval of the Attorney General to take title to such property in the name of the Commonwealth of Pennsylvania

Section 3 The sum of forty-seven thousand one hundred dollars ($47,100) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission to be used in restoration work at Pottsgrove near Pottstown Pennsylvania The money herein appropriated may be used in landscaping and constructing gardens including the services of a landscape artist building drives and parking areas purchasing furniture and repairing buildings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

[illegible]arr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 338, as follows:

An Act to further amend section one hundred eighty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third

fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the appointment of a solicitor for the sheriff in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred eighty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifth day of July one thousand nine hundred fort-seven (P. L. 1308) is hereby further amended to read as follows

Section 188 Solicitor in Third Fourth [and] Fifth and Sixth Class Counties In all counties of the third fourth [and] fifth and sixth classes the sheriff may appoint one person learned in the law as his solicitor Said solicitor shall advise the sheriff upon all legal matters that may be submitted to him and shall conduct any litigation in connection with the sheriff's office when requested so to do by the sheriff The solicitor shall hold office for the term for which the sheriff was elected The salary of such solicitor in each county shall be fixed by the salary board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisians of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same wtihout amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 355, as follows:

An Act to further amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act re-relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various offices of said political subdivisions and prescribing penalties" by further prescribing the pro rata payments to be made by cities of the third class counties and school districts for the premiums on bonds for the tax collector his deputies clerks and assistants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 926) is hereby further amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act. In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the deputies clerk and assistants of the city treasurer as tax collector as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district shall be required to pay in [equal] the proportions hereinafter prescribed the premium on the bonds required to be

given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

In sharing the cost of premium on bonds the city county and school district shall each pay such portion thereof as the amount of taxes on its duplicate delivered to the city treasurer for collection bears to the total amount of the taxes on the duplicates of all said taxing districts delivered to the treasurer for collection The proportionate shares of the above costs to be paid by the said taxing district under the provisions of this amendment shall commence on the date when this act becomes effective shall be calculated on the tax duplicates delivered to the city treasurer in the year one thousand nine hundred forty-nine and shall be paid according to such initial calculation for a period of twelve months At the end of such twelve month period and at the end of each twelve month period thereafter new pro rata shares shall be calculated on the tax duplicates delivered to the city treasurer during the calendar year in which such period ended and shall be paid for the twelve months following

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate ha passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 402, on third reading, entitled:

An Act to further amend the act approced the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Baking and providing penalties" further regulating the power and duties of credit unions their officers and employes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 425, entitled:

An Act to further amend sections two hundred two and two hundred three of the act aproved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to include the Unemployment Compensation Board of Review Unemployment Compensation Referees and the Pennsylvania Labor Relations Board in the Department of Labor and Industry and to delete the Industrial Board as an Advisory Board.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend title, page 2, lines 13 and 14 of title, by striking out the words "Unemployment Compensation Referees"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 425, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 483, as follows:

An Act to further amend subsection six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public

utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and reguating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof persons or corporations furnishing transportation for any injured ill or dead person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commision to fix temporary rates placing the burden of proof on public utilities to sustain thier rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this unless the context clearly indicates otherwise.

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) [any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (g) any person or corporation

who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] Any person or corporation who or which furnishes transportation for any injured ill or dead person

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [(g) any person or corporation who or which uses or furnishes for use trucks for the transportation of wood used in the manufacture of charcoal and wood chemicals (G) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper] any person or corporation who or which furnishes transprtation for any injured ill or dead person

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [or in the transportation of wood used in the manufacture of charcoal and wood chemicals or in the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation of any injured ill or dead person

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election [for the transportation of wood used in the manufacture of charcoal and wood chemicals or the transportation of logs or pulpwood used in the manufacture of paper] or in the transportation of any injured ill or dead person

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 552, as follows:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that no filing fee shall be paid for any nomination petition for councilman in any borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1055) is hereby further amended to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

* * * * *

(b) Each person filing any nomination petition shall pay for each petition at the time of filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board Whenever a petition is to be filed with the county board the person filing the same shall pay the filing fee in cash or by a certified check or money order to the county board All moneys paid on account of filing fees shall be transmitted by the county board to the county treasurer and shall become part of the General Fund Certified checks or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars ($35.00)

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars ($25.00) if for the office of jury commissionner or associate judge the sum of ten dollars ($10.00) if for the office of county auditor in counties of the eighth class the sum of five dollars ($5.00) if for the office of prison inspector the sum of two dollars ($2.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

Provided however That no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the petition for any public officer in any township of the second class nor for any nomination petition for any councilman in any borough

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 583, as follows:

An Act to amend clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and Amending revising consolidating and changing the law relating theretc" by increasing the amount which township supervisors may expend to care for abandoned or neglected cemeteries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XXVIII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXVIII Abandoned or Neglected Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is being neglected although occasionally used for burial purposes the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct the supervisors to care for such cemetery at a cost of not more than [thirty] sixty dollars in any one year and the supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public as may be directed by the court

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 585, as follows:

An Act authorizing certain officers in cities of the first and second class and certain officers in school districts of the first class to abate penalties and interest on unpaid city and school taxes in cities of the first class in cities of the second class and in school districts of the first class under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on delinquent city and school taxes in cities of the first class in cities of the second class and in school districts of the first class for the tax year one thousand nine hundred and forty-eight and for all previous tax years shall be abated if (A) the controller treasurer receiver of taxes in a city of the first class and the school districts of the first class coterminous therewith or if (B) the controller treasurer and president of council of a city of the second class or if (C) the controller treasurer and president of the school board of a school district of the first class which is coterminous with a city of the second class are in each of the above classifications as to taxes affecting each such classification unanimously of the opinion that the total of the taxes plus accrued penalties and interest exceed the market value as of December 31 1948 of the real property for which an abatement is requested

Section 2 No abatement of taxes shall be allowed unless the owner or lienholder petitions the officers in each classification set forth in section one hereof for an abatement on or before September 15 1949 and pays all of his delinquent real estate taxes less penalties and interest within thirty (30) days after said officer find as a fact that the value of the said real estate is less than the total of taxes penalties and interest as of the aforesaid date

Section 3 In order to receive the benefits of this act the 1949 taxes on the said property must be paid during the calendar year 1949

Section 4 This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collecting of such taxes have been instituted in any court

Section 5 All other acts or parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 6 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to amend subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nie hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations wtih or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothontaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by adding thereto the provision that certain corporations created by merger or consolidation under the laws of any states of the United States other than Pennsylvania may act in a fiduciary capacity in this Commonwealth as successors in such capacity to any constituent corporation and to validate such actions heretofore performed by such corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section one thousand five hundred and six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the efficers directors trustees shareholders attorneys and other emploves of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty

* * * * *

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiducairy capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court or register of wills of this Commonwealth and unless the laws of such other state confer

like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary provided however that any corporation created under the laws of any state of the United States other than Pennsylvania by the merger or consolidation of two or more corporations having authority in such state to act as trustees guardians executors administrators or in any similar fiduciary capacity shall have authority to act in this Commonwealth in any such fiduciary capacity as success or in such capacity to its constituent corporations or any of them provided that

(1) the constituent corporation theretofore so acting in such capacity in this Commonwealth was lawfully so acting at the time of such consolidation or merger and

(2) the successor corporation shall comply with all the laws of this Commonwealth applicable to its doing business herein and

(3) the laws of the state wherein the successor corporation was created permit a similar corporation created by merger or consolidation in this Commonwealth to act in that state in such fiduciary capacity as successor to its constituent corporations or any of them theretofore so acting in that state

Section 2 Any act including but not limited to the conveyance of real property heretofore performed by such corporation created as specified in section one hereof as successor in any fiduciary capacity to its constituent corporations or any of them is hereby validated to the same extent as if such act had been performed by such constituent corporation in its fiduciary capacity

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 614, as follows:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by extending the jurisdiction of orphans' courts to the determination of the custody of minors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" as last amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 630) is hereby further amended to read as follows

Section 9 The jurisdiction of the several orphan's courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any persons interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nomination or virtue officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedents shall die seized and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien of debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certifications

(n) The control removal discharge and settlement of accounts of trustees of trusts inter vivos

(o) The control removal discharge and settlement of accounts of trustees of life insurance trusts whether taking effect during the lifetime or at or after the death of the insured or settlor

(p) The right to empower and authorize testamentary trustees to continue to hold real estate charged with a charitable purpose notwithstanding provisions of the will of the testator where in the judgment of the court it will enable the testamentary trustees eventually to accomplish the main intent of the testator

(q) The determination of the custody of any minor in those cases where a proceeding for the adoption of

such minor or a petition for the appointment of a guardian of the person of such minor is before such court and for such purpose orphans' courts are hereby empowered to issue writs of habeas corpus directed to the person or persons having possession of such minor in the manner provided by law

The exercise of all other powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law Provided however That nothing in the foregoing shall be construed to relieve executors administrators or trustees who have entered into an agreement of sale of real estate of a decedent or any other real estate held in trust in good faith and who prior to the time fixed for settlement thereunder have received a higher offer for such real estate from the payment of real estate broker or broker's commissions to the broker who had procured such agreement of sale and in the event that more than one real estate broker is entitled to commissions for said agreements of sale then such commissions shall be equally divided between or among such real estate brokers Provided further That the total aggregate commissions paid shall in no event exceed five per cent of the gross consideration of the final sale

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 708, as follows:

An Act to further amend section two hundred fifty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the appointment by the district attorney of any county of the sixth class having no assistant district attorney with the approval of the salary board of a special assistant attorney to aid in murder cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred fifty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) is hereby further amended to read as follows

Section 259 Special Assistants The district attorney of any county of the seventh and eighth classes and the district attorney of any county of the sixth class whereever no regular assistant district attorney has been appointed under section two hundred fifty-six of this act may with the approval of the salary board appoint an assistant attorney learned in the law to aid in the preparation and trial of any indictment for homicide or murder on behalf of the Commonwealth Such assistant shall receive such compensation as may be fixed by the salary board

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to cases then pending

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 742, as follows:

An Act to add section four point one to and to further amend section eleven of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing in certain cases for lesser pensions at the employe's option after fifteen but less than twenty years of service and contribution and defining "month of service" in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled

"An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" is hereby amended by adding immediately following section four thereof a new section to read as follows

Section 4.1 (a) Anything in this act to the contrary notwithstanding and except as otherwise provided in this section any employe of such cities or paid out of the city treasuries thereof in active service on or after the effective date of this act who is a contributor to and member of the pension fund of such cities may elect to receive and shall be paid a lesser pension during his lifetime if and when he meets the requirements of this section Such election shall be made by application to the board of pensions

(b) Every employe in active service on or after the effective date of this act who is dismissed voluntarily retired or in any manner deprived of his position or employment with fifteen years or more but less than twenty years of service and who has contributed to the pension fund for a like period and who has reached the age of sixty years or upwards may apply for such lesser pension

(c) Every employe in active service on or after the effective date of this act who is dismissed voluntarily retired or in any manner deprived of his position or employment after fifteen years or more but less than twenty years of service before attaining the age of sixty years upon continuing until he reaches the age of sixty years a monthly payment to the fund equal to the last amount due and paid monthly while in active service may apply for such lesser pension when he reaches the age of sixty years

(d) Every such lessor pension shall be proportionate to the pension which the employe would be entitled to receive after twenty years of service and contribution computed as if he had continued to receive during the remainder of the twenty years the same salary as at the time of the termination of his active service as his number of months of service is to two hundred forty months

(e) Payment of the monthly amount of contribution shall cease and be discontinued at the time any such employe begins to receive the lesser pension provided by this section

Section 2 Section eleven of said act as amended by the act approved the fifth day of July one thousand nine hundred seventeen (P. L. 689) is hereby further amended to read as follows

Section 11 The time of service herein specified namely twenty years or in case of the lesser pension fifteen years or more but less than twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

For the purpose of determining the total number of years or months of service or contribution under this act any period of fifteen days or more but less than a month beyond the total number of full months shall be considered a month of service"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 776, as follows:

An Act to further amend sections four and fourteen of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by deleting the wartime provisions which increased the working hours of minors between the ages of sixteen and eighteen and which permitted examinations of physical fitness to be made by any licensed physician

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board

shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as herein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1335) and in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 409) is hereby further amended to read as follows

Section 4 No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation for more than six consecutive days in any one week or more than forty-four hours in any one week or more than eight hours in any one day Provided [That during the present existing state of war between the United States and certain foreign countries and six months thereafter upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board minors between the ages of sixteen and eighteen years shall be permitted to work forty-eight hours in any one week but not to exceed ten hours in any one day nor more than six consecutive days in any one week provided such employment is directly or indirectly in furtherance of the war effort And provided further] That messenger boys employed by telegraph companies at offices where only such minor is employed as a messenger in which case such minor shall not be employed for more than six consecutive days in any one week or more than fifty-one hours in any one week or more than nine hours in any one day

No minor under sixteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation before seven o'clock in the morning or after seven o'clock in the evening of any day Provided That male minors over the age of fourteen may be employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication for not more than fifty-one hours in any one week or more than nine hours in any one day after six o'clock in the morning and before eight o'clock in the evening In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minors shall be considered as part of the working day or working week

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in about or in connection with any establishment without an interval of at least thirty minutes for a lunch period and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 2 Section fourteen of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 387) is hereby further amended to read as follows

Section 14 The certificate of physical fitness required by this act shall state that the minor has been thoroughly examined by the said examining physician at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in a school district of the first second or third class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides and in a district of the fourth class by a physician appointed by the State Department of Health that the certificate of physical fitness provided for by this act shall be signed by said physician and that no fee or other compensation for such service shall be required to be paid by such minor or by his parent or guardian [Provided however That for the duration of present hostilities and six (6) months thereafter any physcian licensed to practice medicine in Pennsylvania may make such examinations in event that the parent or guardian or employe is willing to pay for same]

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	*Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 788, as follows:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by further defining the duties for which compensation and expenses are payable

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows

Section 1 Be it enacted &c That any policeman or fireman of any city borough town or township who is injured in the performance of his duties including in the case of firemen duty as special fire police and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality During the time salary for temporary incapacity shall be paid by the city borough town or township any workmen's compensation received or collected by a policeman or fireman for such period shall be turned over to such city borough town or township and paid into the treasury thereof and if such payment shall not be so made by the policeman or fireman the amount so due the city borough town or township shall be deducted from any salary then or thereafter becoming due and owing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 789, as follows:

An Act to further amend clause XXX of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing appropriations for insurance or compensation coverage upon special fire police killed or injured in the performance of their duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XXX of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

XXX Other Insurance To appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen killed or injured while going to returning from or attending fires or while performing their duties as special fire police To make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring borough employes or any class or classes thereof under a policy or policies of insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the borough treasury for such purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 796, as follows:

An Act to amend the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by fixing the compensation and mileage of county auditors in such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 1 The annual salaries of the following county officers of the sixth class shall be as follows

* * * * *

The county auditors shall each receive seven dollars and fifty cents ($7.50) for each day necessarily employed in the discharge of their duties together with six cents ($.06) per mile circular from and to their homes once each and every week so employed

Section 2 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1634) entitled "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class" is hereby repealed absolutely

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 805, as follows:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the leasing and sale of properties by the Tax Claim Bureau authorizing county commissioners to purchase properties at certain tax sales and increasing the percentage charged by the county on moneys collected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred seven four hundred three and six hundred one of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" are hereby amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for the actual costs and expenses of operating the bureau created by this act for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof and thereafter shall receive and retain two per centum (2%) thereof which percentage shall be deducted by the county treasurer before paying over moneys to the respective taxing districts entitled thereto and shall be retained in the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 403 Procedure to Obtain Possession If either the owner against whom the claim is entered being in possession of the property sequestered or the party in possession refuses to pay a fair rent to the sequestrator the court shall upon the petition filed grant a rule on the property owner or party in possession to show cause why possession of the property should not be delivered to the sequestrator The petition and rule shall be served on the owner or party in possession in such manner and within such time as the court may direct If the rule is made absolute the court shall award a writ in the nature of a writ of habere facias possessionem directed to the owner or party in possession commanding him to deliver possession to the sequestrator within fifteen (15) days thereafter unless such property is occupied by the owner and his family for a home in which case he shall be commanded to deliver possession within thirty (30) days thereafter Provided That if one or more persons in the family of the owner occupying the property as a home are receiving assistance from any public agency the bureau as sequestrator may elect to lease the property under the provisions of section four hundred four of this act to the owner or other member of his family dwelling therein for as long as the sequestrator is paid a monthly sum at least equal but not limited to such portion of the assistance grant as the Department of Public Assistance provides for the payment of taxes insurance and necessary repairs and for sixty (60) days after the removal of said persons from the public assistance rolls

Section 601 Date of Sale (a) Commencing on the second Monday of July or each year or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) or where held by the bureau under article seven as agent for the various taxing districts the premises remain occupied by one or more persons in the family of the previous owner who are or within the sixty (60) days immediately preceding were receiving assistance from a public agency against which a tax claim has become absolute and the period

of redemption has expired (without the property having been redeemed) or against which a tax judgment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator. The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale

(b) No property shall be exposed to sale where the delinquent taxes involved in a claim are being paid by the owner under any law abating penalties interest and costs or either unless there has been a default by the owner in payment in which case the sale of the property shall be proceeded with as herein provided at the time fixed for the next scheduled sale occurring at least ninety (90) days after such default

Section 2 Said act is hereby amended by adding thereto after section six hundred twelve a new section to read as follows

Section 612.1 County Commissioners May Purchase Property When No Bids Offered Whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid the sum of one dollar ($1) for said property at such sale and if the property is sold to them for the county the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken

Any property purchased at such sale by the county may thereafter by the county commissioners be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county or (3) sold in the same manner as any other real property owned in fee simple by the county

Section 3 Sections seven hundred one and seven hundred three of said act are hereby amended to read as follows

Section 701 Property Heretofore Purchased by Taxing Districts to be Turned Over to Bureau Where the county commissioners any taxing district or trustee for any taxing districts have prior to the effective date of this act acquired any property at a tax sale or a sale on a judgment for a tax claim unless such property or interest shall hav been resold or used for a public purpose for which the property might otherwise have been acquired such commissioners taxing district or trustees shall have prior to the first day of January one thousand nine hundred forty-nine or in cases where the redemption period has not expired at such time immediately on the expiration there of deliver possession of such property to the bureau together with all the pertinent information as to when an how it was acquired the taxes for which it was offered for sale at the time the party which purchased it the mortgages liens or estates if any not discharged by such sale known to the taxing district to be a charge on th property [and] the taxes which would have been levied against such property had it not been purchased by the taxing district if known to the taxing district and in such cases as those in which one or more persons in the family of the previous owner now occupy the premises and receive assistance from any public agency such information as will aid the bureau in determining whether or not to lease the property to the former owner or other member of his family dwelling therein as hereinafter provided Thereafter all rights and title to the property held by such taxing district or trustee shall vest inthe county as trustee for all taxing districts having the power to levy taxes against such property if it were privately owned and the bureau shal lbecome the agent of all taxing districts having an interest in the management and control of such property with the following powers and duties with respect thereto

Section 703 Such Properties to be Sold Under Provisions of Article VI All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other member of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public agency shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid. The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioiners or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court not later than the first day of June one thousand nine hundred fifty-one freed and discharged from all liens and encumbrances as provided under Article VI

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 830, as follows:

An Act to further amend clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further providing for assessment of property for maintenance of lights on roads and highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The Corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

II Contracts and Assessements for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads and highways and other public places in villages with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property [benefited by] within two hundred and fifty (250) feet of such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessements as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assesments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 851, as follows:

An Act to add clause XLII to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the supervisors to appropriate money toward nonprofit ambulance services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XLII Ambulance Service To appropriate money annually towards a nonprofit community ambulance service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution ,and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,

Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 860, as follows:

An Act to amend section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employes fixing the salaries of members of the board assessor and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the powers and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" by further prescribing the terms of the officers of the board of revision of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1199) entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas providing for the appointment by the board of personal property assessors real estate assessors and assistant real estate assessors clerks and other employes fixing the salaries of members of the board assessors and assistant assessors and providing for the payment of salaries and expenses from the county treasury prescribing the power and duties of the board and of the assessors the time and manner of making assessments of the revision and notice of assessments and of appeals therefrom prescribing the records of assessments and repealing existing laws" is hereby amended to read as follows

Section 3 The board shall organize [each year by selecting] when necessary to select a chairman vice-chairman and secretary from among its members Whenever a vacancy shall exist or happen in any of such offices the board shall thereupon promptly select one of its members to fill such vacancy Each member of the board heretofor or hereafter selected as chairman vice-chairman or secretary either upon the organization of the board or to fill any vacancy shall hold such office until the expiration of his term as a member of the board Each member of the board shall give bond in such amount and with surety or sureties as the tax-levying body of the county shall approve conditioned for the faithful performance of his duties as a member of the board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 982, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by eliminating the Board of Fish Commissioners creating and extending the provisions of the Code to its successor the Pennsylvania Fish Commission and further prescribing its powers and duties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other

assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission [Board of Fish Commissioners] Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 Section two hundred ten of said act as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) and in part by the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 945) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

[To the Commissioner of Fisheries six thousand seven hundred fifty dollars]

To the Chairman of the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

(b) The members of the Pennsylvania Game Commission the [Board of Fish Commissioners other than the Commissioner of Fisheries] Pennsylvania Fish Commission and of the Pennsylvania Historical and Museum Commission shall not receive any compensation

(c) Except as in this act otherwise provided the members of departmental administrative boards and commissions and of advisory boards and commissions shall serve without compensation

Section 3 Section three hundred two of said act is hereby amended to read as follows

Section 302 [Board of Fish Commissioners The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and seven other citizens of the Commonwealth

Five members of the board shall constitute a quorum

The Commissioner of Fisheries shall be the president and executive officer of the board and chief superintendent of all hatching stations and fish cultural establishments belonging to the State

Members of the board shall be appointed to serve for terms of six years] Pennsylvania Fish Commission (a) The Pennsylvania Fish Commission shall consist of eight competent citizens of the State who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate The members of the commission shall be persons well informed on the subject of conservation and restoration shall except in the case of the original members hold office for terms of eight years each and shall receive no compensation for their services

(b) With the exception of the Commissioner of Fisheries the members of the Board of Fish Commissioners in office at the time this act becomes effective and one new member to be immediately appointed for a term of four years shall constitute the Pennsylvania Fish Commission created by this amendment and shall hold their offices as members of the Pennsylvania Fish Commission until the terms for which they were appointed as members of the Board of Fish Commissioners or as the new member of the Fish Commission shall have expired and their successors appointed as hereinafter provided

Prior to the expiration of the terms of office of the various original members of the commission above provided for the Governor shall appoint their successors to serve for the following terms two to serve two years from the second Tuesday of January immediately following their appointment two to serve four years from the second Tuesday of January immediately following their appointment two to serve six years from the second Tuesday of January immediately following their appointment and two to serve eight years from the second Tuesday of January immediately following their appointment The terms of office of all members thereafter appointed shall be eight years and until their successors are appointed.

(c) The members of said commission appointed after the original members hereinabove provided for shall be appointed in so far as practicable from the various geographic districts of the Commonwealth so that at all times one and only one member thereof shall be a resident of each of the following districts

(1) One from the counties of Erie Crawford Mercer Lawrence Venango Butler Warren Forest and Clarion constituting the first district

(2) One from the counties of Beaver Allegheny Washington Greene Armstrong Indiana Westmoreland and Fayette constituting the second district

(3) One from the counties of McKean Elk Jefferson Potter Cameron Clearfield Clinton and Centre constituting the third district

(4) One from the counties of Cambria Somerset Blair Bedford Huntingdon Fulton Mifflin and Juniata constituting the fourth district

(5) One from the counties of Tioga Lycoming Union Snyder Bradford Sullivan Columbia Montour and Northumberland constituting the fifth district

(6) One from the counties of Franklin Perry Cumberland Adams Dauphin York Lebanon and Lancaster constituting the sixth district

(7) One from the counties of Susquehanna Wyoming Luzerne Lackawanna Carbon Wayne Pike and Monroe constituting the seventh district

(8) One from the counties of Schuylkill Berks Chester Northampton Lehigh Bucks Montgomery Philadelphia and Delaware constituting the eighth district

(d) Upon the death resignation or removal from office of any person so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

(e) The commission shall have an office at the Capitol and shall hold meetings at such office in January and July and at such other times and places within the State as the commission shall appoint for the transaction of business At the meeting held in July of each year the commission shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year

shall be eligible for appointment as executive director except the present Commissioner of Fisheries who upon the effective date of this amendment shall become the executive director to serve for a period of ten days Such executive director shall immediately call a meeting of the members of the commission to be held not later than ten days from the effective date of this amendment at which time they shall elect their officers hereinbefore described who shall hold office until the regular meeting of the commission in July next following They shall also appoint an executive director and with the approval of the Governor fix his salary

Five members of the commission shall constitute a quorum

Section 4 Section four hundred thirty-one of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters the Secretary of Health the [Commissioner of Fisheries] Executive Director of the Pennsylvania Fish Commission and a member of the Pennsylvania Public Utility Commission to be designated by the Governor The fifth member shall be an engineer and shall receive a salary of three thousand dollars per annum

The Secretary of Forests and Waters shall be chairman of the board

Three members of the board shall constitute a quorum

Any investigation hearing or other proceeding which the board has power to undertake or hold may be undertaken or held by or before any member of the board or by or before any official of the board designated by the board for such purpose provided all actions and orders shall be approved by a majority thereof

The board shall have authority to make and adopt rules and regulations for its procedure acts and orders not inconsistent with this act

Interim permits and orders may be issued and made by the chairman of the board or by any official of the board designated for such purpose by the board but such interim permits and orders shall be subject to subsequent approval or confirmation by the board

Section 5 Section four hundred thirty-four of said act is hereby amended to read as follows

Section 434 Pennsylvania State Park and Harbor Commission of Erie The Pennsylvania State Park and Harbor Commission of Erie shall consist of the Secretary of Forests and Waters the Secretary of Internal Affairs the [Cammissioner of Fisheries] Executive Director of the Pennsylvania Fish Commission ex officio and nine other persons of whom two shall be appointed by the council of the City of Erie

The commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

Section 6 Section four hundred thirty-nine of said act as amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 150) is hereby further amended to read as follows

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be chairman thereof the Secretary of Forests and Waters the Secretary of Mines the [Commissioner of Fisheries] Executive Director of the Pennsylvania Fish Commission and three other members

Four members of the board shall constitute a quorum

Each member of the board except the Secretary of Health the Secretary of Forests and Waters the Secretary of Mines and the [Commissioner of Fisheries] Executive Director of the Pennsylvania Fish Commission shall receive fifteen dollars ($15) per diem when actually engaged in the work of the board

Section 7 Section seven hundred twelve of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 712 The Pennsylvania State Police Force The various members of the Pennsylvania State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law including laws regulating the use of the highways which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game protectors and as forest fish or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the [Commissioner of Fisheries] Executive Director of the Pennsylvania Fish Commission or the Executive Director of the Pennsylvania Game Commission or the Secretary of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the [Board of Fish Commissioners] Pennsylvania Fish Commission or the Pennsylvania Game Commission or in the Department of Forests and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

Section 8 Article twenty-seven of said act is hereby amended to read as follows

Article XXVII

Powers and Duties of the [Board of Fish Commissioners] Pennsylvania Fish Commission and Its Enforcement Officers

Section 2701 Powers and Duties in General The [Board of Fish Commissioners] Pennsylvania Fish Commission shall subject to any inconsistent provisions in this act contained [continue to] exercise the powers and perform the duties by law heretofore vested in and imposed upon the [said board] Board of Fish Commissioners and the Commissioner of Fisheries

Section 2702 Enforcement of Fish Laws The [Board of Fish Commissioner] Pennsylvania Fish Commission shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relating to the encouragement promotion and development of the fishery interests and the protection propagation and distribution of fish

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection propagation and distribution of fish and for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth or in waters lying between this Commonwealth and any other State or in the waters of such part of any lake or more than five thousand acres lying between this Commonwealth and any other State or foreign country as is within the jurisdiction of this Commonwealth

(c) [To appoint as many citizens of this Commonwealth as fish wardens as the Governor may approve and to designate one of such wardens as chief warden who shall act in that capacity at the pleasure of the board and shall perform such duties as the board may prescribe The chief warden shall have the direction and control of

the other wardens under the supervision of the board All fish wardens shall hold office during the pleasure of the board and shall receive such compensation for their services and be allowed such expenses as the board with the approval of the Governor shall determine] To select a competent person to be known as the executive director as hereinbefore provided who shall be its chief administrative officer and have charge of all activities under the jurisdiction of the Commission He shall remain such during the pleasure of the commission and shall take the oath of office prescribed by the Constitution and file the same with the Secretary of the Commonwealth

The executive director shall be the Chief Fish Warden and shall have charge of direct supervise and control all other fish wardens and employes of the commission The compensation of the director shall be fixed by the commission with the approval of the Governor The director shall give bond to the Commonwealth in the sum of forty thousand dollars ($40,000) conditioned for the faithful performance of the duties of his office

The director shall occupy as his permanent headquarters the rooms assigned to the commission and shall be supplied from time to time by the Department of Property and Supplies such furniture equipment and office supplies as may be necessary for the use of the commission

The director shall have authority to have printed the biennial report of the commission and such bulletins literature posters and other printing as may be necessary to the work of the commission including the magazine known as Pennsylvania Angler the subscription rates of which shall be fixed by the commission from time to time Such publication shall at all times be maintained as a nonpartisan publication

(d) To appoint such number of competent men as in its opinion may be needed to discharge properly the duties devolving upon said commission whose powers and duties are hereinafter defined and who shall be known as fish wardens Such number shall include men appointed fish wardens and detailed to such administrative or office duty as in the opinion of the commission may be advisable The commission shall also appoint such employes and stenographers as may be deemed necessary

The compensation duties of such fish wardens employes and stenographers shall be fixed by the commission All fish wardens and such other employes as the commission may designate shall give a bond in the amount of one thousand dollars ($1000) unless a larger amount is required by the commission

Fish wardens and all other employes shall be removable at the discretion of the commission or may be suspended without compensation by the director pending action of the commission Provided however That prior to such removal all fish wardens and other regular employes shall be given a fair and impartial hearing before the commission's established trial board unless the employe waives such hearing The trial board's findings and recommendations shall be given due consideration by the commission

[(d)] (e) Upon the written application of a properly organized fish protective association or upon the written application of any association or individual owning or leasing waters to appoint one or more special fish wardens for the county in which the application is made The [board] commission may also appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointment until the thirty-first day of [May] December next succeeding the date of their appointment and no longer They shall not be entitled to any salary compensation or expenses for their services from the Commonwealth unless detailed by writing for duty by the [Commissioner of Fisheries] Executive Director of the Commission in which case they shall receive such compensation and reasonable expenses as the [board] commission with the approval of the Governor may determine

[(e)] (f) To obtain and transmit to the Department of Property and Supplies for publication information respecting the laws relating to the protection of fish and the extent and conditions of the fisheries of the Commonwealth

Section 2703 Hatching Stations and Distribution of Fish The [Board of Fish Commissioners] Pennsylvania Fish Commission shall have the power and its duty shall be

(a) To control and manage all hatching stations and fish cultural establishments belonging to the Commonwealth or which may be hereafter established

(b) To make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First to the public waters of the Commonwealth [within the State forests Second to the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for aquarium purposes and show ponds Third to the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a written application of one or more of the owners or lawful occupants thereof Fourth to the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are nonresidents and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor] and to the waters within the forestry reserve belonging to the Commonwealth Second to the public school authorities and persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fish culture for aquarium purposes and show ponds Third to fish associations and individuals to stock any stream lake or pond in which the public are permitted to fish The Executive Director may distribute and plant fish without an application in any of the waters within the State in which the public are permitted to fish

(c) [To set aside such small streams and lakes as the department may judge best as nursery streams or lakes in which fishing shall be prohibited at all times in the year but before setting aside such streams or lakes the department shall give public notice of closing such streams or stations by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or lake is located once a week for three consecutive weeks Notice of such closing shall also be posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the bank thereof] To set aside at its discretion or upon petition of one hundred and fifty residents who shall be holders of fishing licenses such streams lakes dams ponds or parts thereof as it may judge best as nursery waters in which fishing shall be prohibited for such periods of time as the commission may prescribe Before setting aside such waters the commission through the Executive Director shall give public notice of closing such waters by publishing the prohibition and the duration thereof in such manner as the commission may prescribe Notice of such closing shall also be posted along the banks of such waters

Section 2704 Fishways The [Board of Fish Commissioners] Pennsylvania Fish Commission shall have the power and its duty shall be

(a) To require any person association or corporation now or hereafter erecting or maintaining a dam in the waters of this Commonwealth to erect therein such chutes slopes fishways gates or other devices as the board may deem necessary to enable the fish to ascend or descend the waters at all seasons of the year or to make necessary repairs to any such chutes slopes fishways gates or other devices and to prosecute any person association or corporation refusing or neglecting to erect devices or make repairs as requested by the written order of the [board] commission If after the lapse of three calendar

months from the date of such notice the person owning or maintaining said dam neglects fails or refuses to erect or place or maintain unchanged open and in good order and repair any appliances as directed by the [board the board] commission the commission is authorized to enter upon such dam and erect such chute slope fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the [board] commission and may be recovered by civil suit in the name of the Commonwealth

Provided however that in lieu of requiring the erection of such chutes slopes fishways gates or other devices at any dam where the same is not deemed by the [board] commission to be practicable or advisable for the ascending or descending of fish the [board] commission is empowered to enter into an agreement with the owner lessee or operator of such dam to pay to the [board] commission annually or at other stated periods a sum of money which shall be not less than four and one-half per centum (4½%) per annum upon the estimated cost of the erection of such chutes slopes fishways gates or other devices except that in cases where the amount so calculated would be equal to or exceed the sum of four thousand dollars ($4000) per annum then the annual payment shall in all such cases be four thousand dollars ($4000) per annum to be expended by the [board] commission for the purpose of stocking with food fish the waters of the pool above said dam and for the purpose of propagating rearing and distributing the fish actually placed in said waters and the acquisition of the necessary facilities therefor

(b) To require by notice in writing any person association or corporation owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal to place and maintain a bar rack of not less than one-half inch or more than one and one-half inch space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein and to prosecute any person refusing or neglecting to comply with such order for a period of one month If one month after such notice shall have been given the person association or corporation owning or operating such raceway flume or inlet pipe shall not have placed such bar rack as may have been directed the [board] commission is authorized to enter upon such raceway flume or inlet pipe and place such bar rack as shall have been required the cost of which shall be charged against such owner or operator and may be recovered by the [board] commission by civil suit in the name of the Commonwealth

Section 2705 Special Licenses The [Board of Fish Commissioners] Pennsylvania Fish Commission shall have the power to issue boat and net licenses seine licenses propagation licenses and any other special licenses under such conditions and upon payment of such fees as may from time to time be authorized by law

Section 2706 Powers of Fish Wardens Every member of the [Board of Fish Commissioners] Pennsylvania Fish Commission every fish warden and every special fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish

(b) To execute all warrants and search warrants for the violation of the fish laws

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish

(d) To carry firearms or other weapons in the performance of his duties and to stop or halt by pointing or discharging firearms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officers and any such officer shall at all times be privileged to protect himself in the performance of his duty

(e) To search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated

(f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the [Commissioner of Fisheries] Executive Director of the Commission may direct

(g) To enter upon any land or water in the performance of his duty

(h) To demand and secure proper assistance in case of emergency

(i) To purchase fish for the purpose of securing evidence

Section 2707 Present Fish Wardens and Other Employes Continued All fish wardens and special fish wardens and other employes holding office at the date of the approval of this act shall remain in office until removed by the commission and the commission of said officers shall continue in force under the provisions of this act with the same effect as prior to the passage of this act

Section 9 Board of Fish Commissioners Abolished (a) The Board of Fish Commissioners is hereby abolished as of the effective date of this act

(b) All books papers maps tariffs charts plans and other records and all equipment in the possession of the Board of Fish Commissioners upon the effective date of this act or of any member of said board or any officer or employe of said board shall be delivered or turned over to the Pennsylvania Fish Commission

(c) All employes of the Board of Fish Commissioners on the effective date of this act shall become employes of the Pennsylvania Fish Commission and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the commission Persons who upon the effective date of this act are employes of the Board of Fish Commissioners shall retain all retirement rights that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the Board of Fish Commissioners had not been abolished

(d) All petitions hearings and other proceedings pending before the Board of Fish Commissioners and all investigations begun by such board or any member or officer thereof and not completed upon the effective date of this act shall continue and remain in full force and effect as if the Board of Fish Commissioners had not been abolished and may be completed before or by the Pennsylvania Fish Commission

(e) All pending litigation or proceedings before any magistrate justice of the peace or alderman State or Federal court or regulatory body instituted by or against the Board of Fish Commissioners or in which such board is a party upon the effective date of this act shall not be deemed to be affected or terminated by this act but the Pennsylvania Fish Commission shall have the right to apply to any such magistrate justice of the peace alderman court or regulatory body to have its name substituted in such litigation or proceedings as a party in lieu of the Board of Fish Commissioners and thereupon such pending litigation or proceedings may be prosecuted defended or completed by the Pennsylvania Fish Commission

(f) All permits licenses orders and rules and regulations made or issued by the Board of Fish Commissioners prior to and in force and effect upon the effective date of this act shall remain in full force and effect until revoked or modified by the Pennsylvania Fish Commission

(g) All existing contracts and obligations of the Board of Fish Commissioners shall remain in full force and effect and shall be performed by the Pennsylvania Fish Commission

(h) Whenever the term "the Board of Fish Commissioners" occurs in any law contract or document or when-

ever in any law contract or document reference is made to such board such term or reference shall be deemed to refer to and include the Pennsylvania Fish Commission created by this act so far as such law contract or document pertains to matters which are within the jurisdiction of such commission Whenever the words "Commissioner of Fisheries" or the word "Commissioner" when meaning the Commissioner of Fisheries appears in any law contract or document or whenever in any law contract or document reference is made to such a Commissioner or Commissioner of Fisheries such term or reference shall be deemed to refer to and include the Executive Director of the Pennsylvania Fish Commission created by this act so far as such law contract or document pertains to matters which are in reference to his office

(i) The unexpended balance existing on the effective date of this act in any funds whatsover of the Board of Fish Commissioners is hereby transferred to the Pennsylvania Fish Commission for the same purposes as expressed in any act creating or authorizing such funds and any such unexpended balance also is hereby transferred to the Pennsylvania Fish Commission for the payment of any bills or encumbrances incurred by the Board of Fish Commissioners prior to and remaining unpaid on the effective date of this act

Section 10 The act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" and its amendments are hereby repealed in so far as they are inconsistent with the provisions of this act All acts and parts of acts inconsistent herewith are hereby repealed

Section 11 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of he House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 986, as follows:

An Act to amend sections three hundred two three hundred three three hundred eleven and one thousand four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident hunting and trapping license fees fixing a new fee for nonresident hunter's license establishing a nonresident trapper's license and fixing the fee for the same increasing agents' compensation and providing for the use of certain amounts from resident license fees

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The heading of article III of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Hunting and trapping licenses

Section 2 Section three hundred two of said act as amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 159) is hereby further amended to read as follows

Section 302 Resident License [Fee] fees Each such resident as provided in the preceding section upon application made in writing to any agent authorized to issue such licenses within the Commonwealth the presentation of proof that he is a citizen of the United States and a bona-fide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers unless any such person has been disqualified for a license in the manner hereinafter specified and the payment to said agent or the Department of Revenue of two dollars ($2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth [except as otherwise provided] until the close of the license year licenses valid for use thereafter by residents shall be as follows

To hunt or trap for all wild birds and wild animals which may be legally hunted or trapped in this Commonwealth three dollars and fifteen cents ($3.15)

For the duration of the present war any person with the above qualifications who is in service with the Armed Forces of the United States or any of its Allies shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

Section 3 Section three hundred three of said act is hereby amended to read as follows

Section 303 Nonresident Hunting or Trapping and Alien Nonresident License Fees Every non resident of this Commonwealth upon application made in writing to any agent authorized to issue such licenses or to the Department of Revenue and the presentation of proof that he is a citizen of the United States unless any such person has been disqualified for a license in the manner hereinafter specified and upon payment to said agent or commission of fifteen dollars ($15.00) shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon which shall en-

title the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth [except as otherwise provided] until the close of the license year licenses valid for use thereafter by nonresidents and alien nonresidents shall be as follows

Nonresident hunter's license shall entitle the holder to hunt take or kill all wild birds and wild animals which may legally be hunted taken or killed in this Commonwealth twenty dollars ($20)

Nonresident trapper's license which shall be issued only upon application to the commission in Harrisburg and which shall be effective for the same period as hunter's licenses shall entitle the holder to take through the use of traps or deadfalls only wild birds and wild animals which may legally be trapped in this Commonwealth except beavers twenty-five dollars ($25) nothing in this clause shall be construed to prohibit the holder of a nonresident trapper's license from using a sidearm or a rifle not larger than a .22 rimfire caliber to kill legally caught birds and animals

Every alien nonresident of this Commonwealth who is also a nonresident of the United States upon written application made to the Department of Revenue setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms unless any such person has been disqualified for a license in the manner hereinafter specified and upon the payment to the Department of Revenue of the fees above designated for nonresidents shall be entitled to a nonresident hunter's license and the proper tag issued therewith but the Department of Revenue shall indicate on the face of the license that the holder is an alien nonresident

Section 4 The first paragraph of section three hundred eleven of said act as amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 39) is hereby further amended to read as follows

Section 311 Agents to Collect and Remit License Fees Reports Compensation The agents designated by the Department of Revenue for the collection of said license fees for their services rendered in collecting and paying over the same shall as long as they continue to be agents of the Department of Revenue be allowed to retain not to exceed the sum of [ten] fifteen cents from the amount paid for each resident hunter's license and not to exceed [twenty-five] thirty-five cents from the amount paid for each nonresident hunter's license which amount shall be full compensation for services rendered by them under the provisions of this act such compensation to be disposed of by the respective issuing agents as may now or hereafter be provided by law Each issuing agent other than a county treasurer shall remit all balances arising from this source within five days after the end of each month to the State Treasurer through the Department of Revenue upon a form to be supplied by the Department of Revenue which monthly remittance shall be accompanied by a copy of the list of licenses issued during the previous month All such moneys shall be placed in the Game Fund by the State Treasurer

Section 5 Section one thousand four hundred one of said act is hereby amended by adding at the end thereof a new clause (z) to read as follows

Section 1401 Continuance of Game Fund Appropriation All license fees fines permit fees and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as the Game Fund or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in the separate fund known as "The Game Fund" and shall be held separately and apart solely for the following purposes

* * * * *

(z) The sum of not less than one dollar twenty-five cents ($1.25) from each resident hunter's license for which the full fee has been paid exclusive of reimbursement from any source and exclusive of any charges for administration shall be used solely for the selection restoration rehabilitation and improvement of lands owned by or under the control or operation of the commission and on other lands which are available for public hunting and which are adaptable as feeding resting or planting areas in such way or manner as to provide and improve habitat for the purpose of producing natural propagation of wildlife by (1) improving and maintaining any natural wildlife habitat by the purchase distribution and planting of trees shrubs vines and forage crops and other materials as well as the cutting removal and pruning of overshadowing tree growth to improve wildlife habitat and by (2) the purchase distribution planting cultivating and harvesting of game foods including the purchase of standing grain and forage crops for feeding wildlife and by (3) the purchase maintenance operation rental and storage of equipment tools and materials necessary to meet the objectives of this clause for the production and maintenance of wildlife habitat and by (4) the purchase trapping and distribution of all species of game and by (5) the purchase erection dismantling and maintenance of safety zone signs and the protection of the property of farm-game cooperators

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1022, as follows:

An Act to amend clause (d) of section five hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the antlerless deer abrogation petitions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section five hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the

twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby amended to read as follows

* * * * *

Section 501 Open Seasons

(d) If at any time the commission shall by resolution declare an open season for antlerless deer throughout the Commonwealth or in any given county or part thereof such open season shall be abrogated in any such county if there is filed with the commission a petition opposing such anlterless deer season signed by a number of residents of that county who held Pennsylvania resident hunting licenses the previous year or by persons actually residing upon and cultivating as a means of gaining a livelihood any lands for general farm crop purposes commercial trucking or fruit orchard or nursery being regularly maintained for commercial purposes as either the owner or lessee of such lands or a member of his family actually residing upon and regularly assisting in the cultivation thereof or an emplove of such owner or lessee hired on a monthly or annual basis and regularly assisting in the cultivation thereof provided all such persons shall be legally entitled to hunt in this Commonwealth and shall be equal to fifty-one per centum of the total number of licenses issued to residents of that county which have been issued within that county for the previous year Said peition must be filed at least thirty days prior to the opening of the proposed antlerless deer season

Any person signing such a petition who is not a resident of the county [to which such petition relates or who did not hold a resident hunting license for the previous year] or who is not legally qualified to sign such petition as hereinbefore provided shall upon summary conviction thereof be sentenced to pay a fine of ten dollars and costs of prosecution and upon default thereof shall be imprisoned for a period of five days

Section 2 To each petition there shall be attached an affidavit by the person circulating such petition certifying that to the best of his knowledge and belief each of the petitioners personally signed the petition and all other information contained therein is full true and correct

And said bill having been read a length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1043, as follows:

An Act to amend section four thousand two hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing cities of the third class to appropriate money for the support and maintenance of airdromes or aviation fields situate without the counties in which such cities are located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand two hundred five of the act approved the twenty-third day of June one thouand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4205 Appropriation for Support of Airdromes or Landing Fields Cities which do not own lease or operate municipal airdromes or aviation landing fields may appropriate money for the support and maintenance of airdromes or aviation landing fields situate either within or without the limitations of any city [but] and within or without the limitations of the county in which such city is located

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1073, as follows:

An Act to amend subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of

departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for determining the amount earnable by members of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection five of section seven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' 'is hereby amended to read as follows

Duties of Heads of Departments

Section 7 * * * * *

(5) The head of each department shall cause to be deducted on each and every pay-roll of a contributor for each and every pay-roll period subsequent to December thirty-first nineteen hundred twenty-three such per centum of the total amount of salary earnable by the contributor in such pay-roll period as shall be certified to the head of each department by the retirement board as proper in accordance with the provisions of this act In determining the amount earnable by a contributor the retirement board may consider the rate of salary payable to such contributor on the first day of each regular pay-roll period as continuing throughout such pay-roll period and it may omit salary deductions for any period less than a full pay-roll period in cases where the member was not a contributor on the first day of the regular pay-roll period and to facilitate the making of the deductions it may modify the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made In the case of members of the General Assembly as a class for the purposes of this act the compensation received for each regular and special session if any of the Assembly together with one-half of the expense allowance granted for each two year period of service by the act of 1947 Pamphlet Laws 1439 shall be construed to be the annual salary or annual earnable salary of each member The deduction provided herein shall be made notwithstanding that minimum salaries or other compensation provided for by the laws rules or regulations of the Commonwealth shall be thereby reduced The head of each department shall crtify to the Treasurer of the Commonwealth on account of each and every pay-roll of the contributor a statement as voucher for the amounts so deducted and shall send a duplicate of such statement to the secretary of the retirement board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1106, as follows:

An Act to further amend subsection (a) of section seven of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further regulating appointments of members of the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) is hereby further amended to read as follows

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality. The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter whenever a vacancy has occurred or is about to occur by reason of the expiration of the term of any member the

said governing body shall [at a meeting held not later than one month prior to January first in each year in which a vacancy occurs] appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term [expires on the January first next succeeding] has expired or is about to expire.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1186, as follows:

An Act to further amend section four and add section fourteen to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by effecting a change in the years of employment on which pensions are based and by providing a method of paying service increments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the second day of April one thousand nine hundred forty-seven (P. L. 52) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the [last] highest salaried five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any employe whose monthly payments unto the pension fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employe upon the date of retirement from service shall have made payments of more than four dollars a month unto the pension fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employe

The pension to be paid to any former employe who was dismissed voluntarily retired or in any manner was deprived of his position and employment after having twenty years of service as an employe of said city and who has continued making payments to the fund equal to the last amount due and paid monthly while in active service and who has not accepted any pension under the provisions of the act to which this is an amendment shall be at the pension rate as provided in section five and his payments to the board of pensions after the first day of September one thousand nine hundred forty-five shall be in an amount equal to the amount which he would have been permitted to make had he continued in the employ of said city after the first day of September one thousand nine hundred forty-five and had continued to be paid the same salary as he received when he was last employed by said city This new amount whether it be more less or the same as the amount which he paid prior to the first day of September one thousand nine hundred forty-five he shall continue to pay until he applies for a pension under the provisions of this act If there be any difference between the amount which he has paid from the first day of September one thousand nine hundred forty-five and the amount which he has elected to pay under the provisions of section five he shall pay such difference into the board of pensions within six months of the effective date of this amendment

Section 2 The said act is hereby amended by adding thereto a new section to read as follows

Section 14 In addition to the pension which is authorized by this act and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall become entitled to the payment of a pension and who has been employed by the said city or county for at least twenty-one years shall also be entitled to the payment in addition to the said pension of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years in excess of twenty years during which a contributor has been employed by such city or county and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the pension which has become payable to such contributor in accordance with the provisions of this act Provided That no service increment may be paid for employment of more than twenty such excess years nor for any excess years which shall accrue after a contributor has reached the age of sixty-five years and no service increment shall be paid in excess of one hundred dollars ($100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the board of pensions a monthly sum in addition to his or her pension contribution which shall be equal to one-half of one per centum of his or her salary Provided That such payment shall not exceed the sum of one dollar ($1.00) per month nor shall the total payment for pension contribution and service increment contribution exceed thirteen dollars ($13.00) per month And Provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are pension fund contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Any pension fund contributor who shall after the effective date of this act leave the service of such city or county after having completed at least twenty years' service but before reaching the age of sixty years and who shall continue to pay pension contributions into the pension fund shall not pay service increment contributions after the date of leaving the service of such city or county and shall have his or her service increment limited to the actual years spent in the service of such city or county

(5) Service increment contributions shall be paid at the same time and in the same manner as pension contributions and may be withdrawn in full without interest by persons who leave the employment of such city or county subject to the same conditions by which pension contributions may be withdrawn When any person is re-employed by the city or county after withdrawal of pension contributions his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund subject to the same conditions by which pension fund withdrawals are permitted to be repaid

(6) All employes of such city or county who are now contributors to the pension fund and all persons who are employed by such city and county after the effective date of this amendment who are required to become contributors to the pension fund shall be subject to the provisions of this amendment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to reenact and amend the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 135) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 135) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" is hereby reenacted and amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to grant and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate lying and being in the Borough of Norristown in the County of Montgomery and the Commonwealth of Pennsylvania bounded and described as follows

All that certain land described according to a survey made thereof May 18 1942 by the Engineering Department of the Borough of Norristown as follows

Beginning at a point in the center line of Johnson Highway (said center line of Johnson Highway being also the division line between the Borough of Norristown and the Township of East Norriton) said point being three hundred sixty-six and seventy-four one- hundredths feet North forty-two degrees sixteen minutes West measured along said center line of Johnson Highway from a monument marking the point of intersection of said center line of Johnson Highway with the Northwesterly side of Harding Boulevard thence from said point of beginning South forty-five degrees one minute West four hundred thirty-four feet to a point thence South four degrees thirty-eight minutes West five hundred sixty-three and twelve one-hundredths feet to a point on the Northwesterly side of Harding Boulevard and along said side of Harding Boulevard South forty-five degrees six minutes West three hundred eighty-five and sixty-four one-hundredths feet to a point in line of land formerly of the Aged Women's Home now of the Borough of Norristown thence along said land of the Borough of Norristown North forty-five degrees twelve minutes West four hundred twenty-four feet to a point in or near the

Middle of Stony Creek and thence along or near the middle of Stony Creek the following several courses and distances North thirty degrees twenty-six minutes East ten feet North Twenty degrees twenty-three minutes East one hundred seventy-six and fifty-six one-hundredths feet North sixteen degrees forty-one minutes East one hundred seventy-five and ninety one-hundredths feet North eight degrees fifty-eight minutes East one hundred eighty-nine and thirty-one one-hundredths feet North seven degrees thirty-four minutes East one hundred eighty-nine and sixty-five one-hundredths feet thence along and into and thru the East branch of Stony Creek the following several courses and distances North sixteen degrees sixteen minutes East seventy-five feet North twenty-seven degrees twenty-five minutes East seventy-four and ninety-two one-hundredths feet North fifty-one degrees twenty-eight minutes East seventy-five and forty-three one-hundredths feet North fifty-eight degrees nineteen minutes East seventy-five and twenty-one one-hundredths feet North seventy-five degrees thirty-two minutes East ninety-eight and eleven one-hundredths feet thence North sixty-nine degrees twenty-seven minutes East thirty-four and eighteen one-hundredths feet thence North forty-five degrees thirty-six minutes East thirty-three and fifty-nine one-hundredths feet North ten degrees fifty-nine minutes East thirty-four and twelve one-hundredths feet thence North twenty-three degrees twelve minutes East twenty-six and sixty-six one-hundredths feet thence North seventy-seven degrees East twenty-six and sixty-eight one-hundredths feet thence South eighty-three degrees fifty-six minutes East eighty and forty-five one-hundredths feet thence North seventy-eight degrees fifty-six minutes East seventy and thirty-one one-hundredths feet and North eighty-six degrees eleven minutes East thirty and seven one-hundredths feet to a point of intersection of the center line of said Stony Creek and the center line of Johnson Highway thence along the center line of Johnson Highway South forty-two degrees sixteen minutes East three hundred three and seven-tenths feet to the first mentioned point and place of beginning containing 14.9251 acres of land be and the same more or less

Section 2 The said grant to be made upon the condition that if said land should ever be abandoned by the Borough or Norristown for park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania Nothwithstanding this provision and any similar provision contained in any deed of conveyance made pursuant to this act the Borough of Norristown shall have the right to charge and collect a reaseonable admission fee from all persons attending athletic and other events conducted on any part of the park maintained on said land The amount of such fee shall be limited to enough only to pay for the cost of maintaining the park

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to reenact and amend the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 181) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" by permitting charging of admission to athletic or other events conducted on any part of the park maintained on said land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 181) entitled "An act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania" is hereby reenacted and amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to grant and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate in the Borough of Norristown County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a monument the intersection of the center line of West Johnson Highway and the West side of Harding Boulevard thence extending in a Southerly direction along the West side of Harding Boulevard South 45° 06′ West 845.50 feet to a point thence extending in a general Northerly direction said line dividing lands of the Borough of Norristown and the Commonwealth of Pennsylvania North 4° 38′ East 563.12 feet to a point thence extending North 45° 01′ East 434 feet to a point in the center of Johnson Highway thence along the center of said Johnson Highway South 42° 16′ East 366.74 feet to the place of beginning containing 5.3424 acres

Section 2 The grant hereby made is upon the condition that if said land should ever be abandoned by the Borough of Norristown for public park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania Notwithstanding this provision and any similar provision contained in any deed of conveyance made pursuant to this act the Borough of Norristown shall have the right to charge and collect a reasonable admission fee from all persons attending athletic and other events conducted on any part of the park maintained on said land The amount of such fee shall be limited to enough only to pay for the cost of maintaining the park

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on State Government, reported as amended, House Bill No. 290, entitled:

An Act to amend section nine and to further amend section ten of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," providing for arrests by inspectors of weights and measures, and extending the provisions of the act to marking of the net quantity of the contents on packages sold by wholesalers, jobbers or commission merchants.

SENATE BILL NO. 842 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order on page 44 of the Second Reading Calendar, Senate Bill No. 842, for the purpose of amendment.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties.

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth sections were read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 12, by inserting between line 16 and 17 the following:

Section 11. Applicability and Related Matter—(a) The provisions of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons.

(b) If subsection (a) of this section shall be held to be unconstitutional by a court of competent jurisdiction such decision of the court shall not effect or impair the other provisions of this act and school districts of the first class without regard to the population limitation provided in subsection (a) of this section shall levy and collect the taxes hereby imposed.

It was agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 11, page 12, line 17, by striking out the figure "11" and inserting in lieu thereof "12".

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 12, page 14, line 3, by striking out the figure "12" and inserting in lieu thereof "13".

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 13, page 14, line 5, by striking out the figure "13" and inserting in lieu thereof "14".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 842, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL NO 843 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order on page 45 of the Second Reading Calendar, Senate Bill No. 843 for the purpose of amendment.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 843, entitled:

An Act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county

assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and prescribing penalties.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth fifteenth, sixteenth, seventeenth, and eighteenth sections were read and agreed to.

The nineteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 24, by inserting between lines 15 and 16, the following:

Section 20. Applicability and Related Matter—(a) The provisions of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons.

(b) If subsection (a) of this section shall be held to be unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair the other provisions of this act, and school districts of the first class without regard to the population limitation provided in subsection (a) of this section shall levy and collect the taxes hereby imposed.

It was agreed to.

The section was agreed to as amended.

The twentieth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 20, page 24, line 16, by striking out the figure "20" and inserting in lieu thereof: "21".

It was agreed to.

The section was agreed to as amended.

The twenty-first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 21, page 26, line 10, by striking out the figure "21" and insrrting in lieu thereof: "22".

It was agreed to.

The section was agreed to as amended.

The twenty-second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 22, page 26, line 12, by striking out the figure "22" and inserting in lieu thereof: "23".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the scond time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 843, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none

HOUSE BILL NO. 1048 CALLED UP

Mr. WALKER. Mr. President, I call up out of order, on page 51 of the Second Reading Calendar, House Bill No. 1048 for consideration at this time.

MOTION TO RECOMMIT BILL

Mr. BERGER. Mr. President, I move that House Bill No. 1048, on second reading, entitled:

An Act to further amend clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation

be recommitted to the Committee on Labor and Industry.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland will state his parliamentary inquiry.

Mr. DENT. Mr. President, can we act upon a bill in any manner whatsoever when that bill is not properly before the Senate?

The PRESIDENT. Not if the bill is not on the desks of the Senators, and there is objection raised to consideration because the bill is not on the desks. Is that what you are saying?

Mr. DENT. Mr. President, there are various methods by which a bill would not be properly before the Senate. This bill, House Bill No. 1048, appears on the Senate Calendar in a different form than what it was reported from committee. Now, until that bill is placed into the form that it was reported from committee, this Senate cannot act, as I take it, Mr. President, one way or another upon that bill.

The only thing that this bill has—it is probably the same preamble, but so far as the contents of the bill are concerned, they are not what the committee reported to the floor, due to what we would be kind enough to say is a printer's error, but the printer's error changes the whole intent and purpose of the act, and I believe that the Senate ought to know what it is voting for and, therefore, the bill ought to be placed in proper construction before the Senate is asked to vote either one way or another upon the measure.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The PRESIDENT. The gentleman from Potter, Senator Berger, made a motion to recommit House Bill No. 1048, Printer's No. 607, appearing on Page 51 of today's Calendar, to the Committee on Labor and Industry. For what purpose, Senator Berger?

Mr. BERGER. Mr. President, the purpose of the motion to recommit is to permit the bill to be put in proper shape so that the amendments which should properly be in the

bill should be in, and any amendments which the Committee sees fit to put in, may be put in, and to put the bill in such condition it should be returned to Committee for furher action by the Committee.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I think before the vote is taken, my point of parliamentary inquiry ought to be answered by the Chair.

Mr. DENT. Mr. President, my point of parliamentary inquiry is this. This bill as it now appears upon the Calendar is entirely different than the bill that was reported from Committee, and my point of parliamentary inquiry is whether or not this Senate can properly vote upon a matter that is not before it properly.

The PRESIDENT. In the opinion of the Chair, on a motion to recommit for the purpose of amendment, it can go back to Committee regardless of the condition of the bill as long as there is not final action on the bill.

Mr. DENT. Mr. President, on the motion to recommit, I want to get the record very clear in order that all of us will understand exactly what is happening at this moment.

The PRESIDENT. Is the gentleman from Westmoreland going to speak on the bill, because a motion to recommit is not debatable?

Mr. DENT. Mr. President, I am going to talk about the action that led up to the necessity, as it was put by the Chairman of the Committee, on his motion to recommit. In naming his purpose he said this bill is now in improper form because it was not printed right, and it has to go back to Committee for amendment or for correction. We, therefore, would like to tell the Senate what is wrong, and why I have insisted that a ruling be made by the Chair.

The PRESIDENT. The gentleman from Westmoreland can tell what is wrong with the bill as he sees it.

Mr. DENT. Mr. President, House Bill No. 1048, Printer's No. 313, was presented to the Senate Committee on Labor and Industry. In the Committee, amendments were offered to page 16, dealing with the co-called "Romig Decision" which was an amendment inserted by the House after deliberation on the floor. The Committee voted to keep the bill in the form that it appeared before the Committee as it came from the House in that particular instance. The Committee had voted to send the bill to the floor as it appeared before us.

Now, Mr. President, we find ourselves in the position of having Printer's No. 607 of House Bill No. 1048, with the amendment that was rejected by the Committee, enacted into the act itself. The Committee rejected the amendment to Section 309, which strikes out the "Romig Decision," and we now find before us, and I want to say I am stretching, I think, a point by using the word kindness, that this particular amendment destroys the action of the Committee. It makes a farce out of committee meetings, makes it almost a mandate to the Minority that we, in the Senate of Pennsylvania, refrain from attending committee meetings because when a committee has acted, we find that the printer, either by instruction or by unintentional error, has deliberately taken the action of the Committee and set it aside, and has taken the amendment that was bitterly fought in the Committee and inserted it in the bill.

Now, Mr. President, if this action can be sustained, then no action of committee from here on in will carry the weight of its convictions. What is the meaning of having committee meetings? Why do we get up at seven or seven-thirty in the morning, to attend meetings from eight to eleven, to twelve to two, working out our differences, honest differences of opinion, and a majority of the Committee votes to sustain a certain position, and we come upon the floor and find the thing we voted against appears in the bill, and that construction is used as an excuse to send this bill back to Committee?

I say, Mr. President, if it were not that I have a very kind feeling toward the membership on both sides of this Senate, I would say that it was a deliberate action, premeditated to do exactly what is being done here. This is a very, very serious thing, regardless of the effect of the amendment, regardless of whether it is this bill or any other bill that appears before the Senate. If an error of the printer can be interpreted as legislative action, then we here do not belong in the Senate of Pennsylvania. Since when did we get the fifty-first Member of the Senate of Pennsylvania? Since when has an employe of the Senate become greater than any Senate Committee, and amends the bills to suit his or somebody else's whims, wishes, or will?

Mr. President, there are two bills in this gronp having and containing the very same considerations; one bill appears in proper form, the other bill appears in improper form, and the plan is to send both bills back to Committee, because, Mr. President, the desires of certain people were not carried out in Committee. So, now both bills are funnelled back because of this asinine excuse, and we find ourselves in the position of losing a hard fought battle by having the enemy infiltrate into our midst by secret passageways in a printer's office.

Mr. President, I do not mind being defeated in an open fight, and I think that along with many of the men here, I fought many of the battles right here on the floor. I never take a battle outside of the gates of the fence that surrounds this room. I try to fight it out here, but I do not like being caught in a black, dark alley, and bludgeoned into submission on something, when I cannot defend myself. I cannot stand on this floor and tell the people of Pennsylvania what this amendment does because it is not properly before us. I cannot say to you that you will never see this amendment again, I cannot tell you that it is going into Committee to deliberately do that which they failed to do in the first instance in Committee action. I can only say to you that the dastardly attack made upon this particular amendment is one that does not stand up under the scrutiny of decency.

Mr. President, I do not accuse the Chairman of any skulduggery because I believe that he, too. was just as confounded as I was when we found what had happened, but I do say, Mr. President, that out of a decent respect for the position of that group of men who voted on the floor of the House, in open debate, and for that group of men who attended this meeting, and after hours of deliberation voted to sustain the position of the House, then if any difference of opinion exists between the Majority in the Senate and the Majority in the House, it ought to be deliberated here upon the floor, and not in the dark, deep recesses of a packed committee, because I assure all of you that I have been here long enough

to know that this poor little amendment would not have much of a chance once the forces are marshalled.

It so happened, Mr. President, that this was a bipartisan movement. I will not mention the names, I do not think it is properly before us to do so, but I will say that two-thirds of the majority vote on this particular amendment was Democratic, and one-third of the vote was Republican, and it was a deliberate vote, knowing full well what we are doing, knowing exactly the importance of the action we were taking, and knowing, too, that we would be faced on the Senate Floor with an amendment offered to destroy that which we had done.

Mr. President, I do not complain against that; I am willing to stand upon the floor and defend that amendment if I am given an opportunity to do so, but the way it is being handled at this instant, because a printer becomes the fifty-first Member of the Senate of Pennsylvania, without portfolio, with greater powers than a majority of the Senate group, and he can change the whole contents of any act in the Senate. If some person in this Senate group of a future date is dishonest intellectually, he can destroy the action of the Senate by collusion with the printer. What are we getting into? Let us stand up for the things that we believe in. There has been too much, too, too much during this Session of committee action. I have never had the criticism given to me in all the years I have been here that I have heard during this Session against the so-called autocratic positions taken in committees.

Mr. President, any precedent that is set always establishes a basis from which future actions come; a small injustice today becomes the seed of tyranny tomorrow; that which we do at this moment will some day come back. Those of us who disbelieve at this moment that this is proper, will be forced into the position of using this method to achieve that which is being achieved now, and we will be able to point, although it will be contrary, probably, to the things we believe in in principle, to this action taken this afternoon as a proper action.

That is why I appeal to the Chair in my determination, and request from him a ruling to determine for future membership of the Senate whether or not by collusion, by deliberation, or by error, the contents of a bill can be changed by the printer, and voted upon the Senate Floor as a proper measure. I do not believe it can be done with propriety. I am against it, and I am requesting the decent Members of the Senate to defeat this motion. Let us put the bill in proper form, and let us stand up and be counted for the bill and its contents as we understand they were meant to be.

BILL RECOMMITTED

The PRESIDENT. The question is on the motion to recommit, which is not debatable.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken the question was determined in the affirmative.)

The PRESIDENT. The bill is recommitted to the Committee on Labor and Industry.

Mr. BARR. Mr. President, I did not hear a seconder to the motion.

The PRESIDENT. The motion was duly made and seconded.

Mr. TARR. Mr. President, I do not know whether or not I am going to be ruled out of order, but here for the first time since I have become a Member of the Legislature of Pennsylvania, I bow my head in shame that I am not acting in a democratic body. To think, Mr. President, that I have to be a teacher in the Commonwealth of Pennsylvania, and go back and tell my student body the kind of deliberations we get in this Democracy.

Mr. LANE. Mr. President, I previously said upon the floor of this Senate that we wanted to constructively criticize the actions of the Majority. Today, the Democratic Party has been stabbed in the back by the adverse ruling that was made here, and it seems to me that there is no justice, because the amendment has been stolen from us. When it goes back into Committee, it is going to come out as the Manufacturers' Association decided.

Mr. President, I say to you we are going to have trouble here by continuing along this particular line that we have done in the past. The Republican Party stands indicted today for the direct attack they have made upon the welfare of labor. No state in the Union has been so vicious as this outfit has been in this Senate of Pennsylvania. I do not like to lose my decorum, but I am so angry I might say too much.

Mr. President, we are going to work hard, and we are going to have all these bills read at length.

Mr. WALKER. Mr. President, may I suggest to the gentleman on the other side of the aisle that we have absolutely no objection to a roll call on the motion made by the gentleman from Potter, Senator Berger, and may I also say to the gentleman on the other side that one of the hardest lessons that I have had to learn, and unfortunately for me, it is only half completed, and that is the problem of keeping one's temper.

May I say to my very dear friend and distinguished colleague from Allegheny that I personally heard the motion made by Senator Berger and seconded, and if the gentleman so desires, I will produce the Member of the Senate who seconded the motion.

If the gentleman desires me to at this time, Mr. President, I would like to interrogate the gentleman from Chester, Senator Scarlett.

The PRESIDENT. Will the gentleman from Chester permit himself to be interrogated?

Mr. SCARLETT. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Chester, Senator Scarlett, whether or not he seconded Senator Berger's motion?

Mr. SCARLETT. I did, sir.

Mr. WALKER. Thank you very much, sir.

Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Homsher.

The PRESIDENT. Will the gentleman from Lancaster, Senator Homsher, permit himself to be interrogated?

Mr. HOMSHER. Yes, I will, Mr. President.

Mr. WALKER. Mr. President, may I say to the gentleman, sir, that the thing I am trying to do—I thought I heard a statement made on the floor of this Senate a few moments ago that the presiding officer was in error as to the truth of the statement that he made from the Chair. If the veracity of the Chair is being raised as an issue, Mr. President, I desire to

demonstrate on the record that the Chair was telling the truth when he said that the motion had been seconded.

Now, Mr. President, if the gentleman desires a roll call, I have no objection to a roll call.

The PRESIDENT. After the conference which took place at the rostrum, I made the statement that the motion had been seconded; that is exactly what I said. Then a roll call was called for, and the Clerk will call the roll. Is that what you want? Do you want a roll call?

Mr. WALKER. Mr. President, I was diverting to a subversive training I received in law school, and merely calling corroborating testimony to the fact that the motion made by Senator Berger had been seconded. The purpose of that, sir, was to reaffirm the decision made by the Chair.

I have a very high regard for the Presiding Officer, who is a soldier, scholar, gentleman and statesman, and challenging his veracity is something I do not propose to leave here on the floor of the Senate unanswered.

Mr. HALUSKA. Mr. President, I am not going to debate the question whether the motion was seconded or not, or the question of the Chair's honesty or sincerity, but to keep the record straight, I want to point out that yesterday when my colleague made a motion on a bill, Senator Barr and myself both seconded that motion, but it was not heard, and we had turmoil yesterday, and turmoil today. It seems queer to me how you heard the motion seconded today, but failed to hear it yesterday.

Mr. WALKER. Mr. President, I understand the gentlemen on the Minority Side desire to have a roll call vote. I have no objection to that, and if it meets with the approval of the Chair, we would like to have a roll call on the motion made by the gentleman from Potter, Senator Berger.

Mr. NEFF. Mr. President, it seems to me I find myself compelled to refer to the action of a Committee of the Members of this Senate as a damnable un-American act. The Federal Government, our Government, has spent billions—may I have a little order, Mr. President?

Mr. NEFF. Mr. President, I am going to ask for a roll call vote later, but I wish to preface it by a few brief remarks.

Mr. President, the Federal Government, our Government, has spent, and is spending, and will continue to spend billions of dollars in Europe on a program to stamp out totalitarianism in all its forms, even though it may masquerade under a red blanket of communism. We know what happened to Germany and Italy, we know what is happening to Czechoslovakia, Yugoslavia, we know what has happened for twenty-five years in Russia under this form of government, and I think it might be high time to consider a Pennsylvania program, and have our Federal Government spend a little of those billions in Pennsylvania to stamp out this same type of totalitarianism.

Mr. President, a minority group means nothing; the heritage of the two-party system, as we have come to know it in America, is certainly not evidenced in the august chambers and committee rooms of the Senate of Pennsylvania. I think that the one man rule is rampant here as it is in Russia, as it was in Germany and Italy, and I think we might well take heed—

POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, there is nothing before the Senate at this time but the consideration of the Calendar. If the gentleman desires to have a roll call vote on the motion, we are perfectly willing to go through with it, but, Mr. President, if there is not going to be a motion made, I must suggest that we continue with the Calendar.

The PRESIDENT. The Senator from Allegheny objects to the Senator from Lawrence talking on the question, unless the Senator wishes to ask for a roll call. Does the Senator from Lawrence wish to ask for a roll call?

Mr. NEFF. Mr. President, I will ask for a roll call in due time, but I wish to premise that request with a few remarks.

The PRESIDENT. On a point like this, if there is objection, the Senator has no right to debate the question.

ROLL CALL REQUESTED ON MOTION TO RECOMMIT HOUSE BILL No. 1048

Mr. NEFF. Then, I request of the President that we take a roll call vote on the matter before the Senate.

Mr. DENT. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

Mr. BARR. Mr. President, I ask for a roll call.

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

VERIFICATION OF THE ROLL REQUESTED

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. TARR. Mr. President, I second the motion.

Mr. HALUSKA. Mr. President, will the Senate be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

REQUEST FOR VERIFICATION OF THE ROLL WITHDRAWN

Mr. LANE. Mr. President, I desire to withdraw my motion for verification of the roll.

Mr. TARR. Mr. President, I withdraw my seconding of the motion.

The yeas and nays were required by Mr. NEFF and Mr. DENT and were as follows, viz:

YEAS—28

Berger,	Frazier,	Meade,	Taylor,
Blass,	Geltz,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	]	Scarlett,	Watkins,
Diehm,	Mahany,	Snowden,	Watson,
Doehla,	]	Stevenson,	Wolfe,
Farrell,	McPherson, Jr.,	Tallman,	Wood, L. H.,

NAYS—22

Barr,	Hare,	Neff,	Tarr,
Barrett,	Holland,	Pechan,	Toole,
Dent,	Kephart,	Rosenfeld,	Wagner,
DiSilvestro,	Lane,	Ruth,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Yosko,
Haluska,	Letzler,		

So the question was determined in the affirmative.

The PRESIDENT. House Bill No. 1048 is recommitted to the Committee on Labor and Industry.

HOUSE BILL No. 1049 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order on page 52 of the Second Reading Calendar, House Bill No. 1049 for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1049, on second reading, entitled:

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

be recommitted to the Committee on Labor and Industry.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HALUSKA and Mr. LANE and were as follows, viz:

YEAS—28

Berger,	Frazier,	Meade,	Taylor,
Blass,	Geltz,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Lord,	Scarlett,	Watkins,
Diehm,	Mahany,	Snowden,	Watson,
Doehla,	Mallery,	Stevenson,	Wolfe,
Farrell,	McPherson, Jr.,	Tallman,	Wood, L. H.,

NAYS—22

Barr,	Hare,	Neff,	Tarr,
Barrett,	Holland,	Pechan,	Toole,
Dent,	Kephart,	Rosenfeld,	Wagner,
DiSilvestro,	Lane,	Ruth,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Yosko,
Haluska,	Letzler,		

So the question was determined in the affirmative.

HOUSE BILL No. 1060 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order on page 52 of the Second Reading Calendar, House Bill No. 1060 for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1060, on second reading, entitled:

An Act to further amend clause (a) of section three hundred one clause (a) (b) (c) and (f) of section three hundred six and section three hundred seven and to amend section three hundred nine of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by changing the maximum and minimum rates and total amounts and aggregate of compensation

be recommitted to the Committee on Labor and Industry.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. HALUSKA. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HALUSKA and Mr. LANE and were as follows, viz:

YEAS—28

Berger,	Frazier,	Meade,	Taylor,
Blass,	Geltz,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Lord,	Scarlett,	Watkins,
Diehm,	Mahany,	Snowden,	Watson,
Doehla,	Mallery,	Stevenson,	Wolfe,
Farrell,	McPherson, Jr.,	Tallman,	Wood, L. H.,

NAYS—22

Barr,	Hare,	Neff,	Tarr,
Barrett,	Holland,	Pechan,	Toole,
Dent,	Kephart,	Rosenfeld,	Wagner,
DiSilvestro,	Lane,	Ruth,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Yosko,
Haluska,	Letzler,		

So the question was determined in the affirmative.

SECOND READING CALENDAR

Mr. WALKER. Mr. President, may I suggest that we take up the Second Reading Calendar in its regular order at this time?

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 12, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 121, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employes and original members by extending the time until which employes of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals may become contributors to the State Employes' Retirement Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 130, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 146, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the membership of certain State boards and commissions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 216, on second reading, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds and repealing an existing law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 241, on second reading, entitled:

An Act to add article Seven-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 193) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the protection of the public health and for the appointment powers and duties of boards of health and health officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 265, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the distribution to the public of documents published by the Department of Property and Supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 271, on second reading, entitled:

An Act providing for the creation and incorporation as municipal corporations of metropolitan districts by cities of the third class, boroughs, towns, and townships to carry out certain of their governmental functions in a more efficient manner; prescribing the officers and powers and duties of such districts and the duties of participating municipalities; and conferring jurisdiction on courts of quarter sessions in connection therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 286, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" eliminating certain obsolete provisions thereof clarifying certain definitions and terms changing the rights and obligations of employers and employes thereunder and requiring prothonotaries to enter certain liens without prepayment of costs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 344, on second reading, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion and retirement of enlisted members of the Pennsylvania State Police

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend sections four three hundred one and five hundred one of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2896) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing for modification of the manner in which employer contribution rates are determined

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendments:

Amend Section 1, page 2, line 1, by inserting after the letter "(k)" the following: "and subsection (y)"; Amend Section 1, page 4, by inserting between lines 13 and 14 the following: (y) "Wages of a Compensated Employe" [with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employe by an employer or such employe in the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which the first compensation of the employe's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five] means the first one thousand three hundred sixty-six ($1366) in wages which were paid to [the] a compensated employe by [an employer of such employe in] each of such compensated employe's employers during the base year immediately preceding the employe's benefit year and which wages shall be treated as though they had been paid in the calendar quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employe's weekly benefit rate. For the purpose of charging an employer's reserve account under the provisions of subsection (b) of Section 302 of this act "wages of compensated employees" as used therein shall not include wages which were the basis of credit for a waiting week or for the payment of unemployment compensation or both or a result of any employee being unemployed under conditions which under subsection (d) of section four hundred two of this act as amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) would have made him ineligible for compensation, providing any such employer, within sixty days from the date of mailing notice of his contribution rate for the year one thousand nine hundred forty-nine as computed under the provisions of Section three hundred one as amended by this act, files and appropriate application with the department giving sufficient information to enable the department to determine whether or not his "wages of compensated employees" should be adjusted under the provisions of this subsection. If, however, any such employee was otherwise employed during a period in his benefit year for which he was otherwise eligible for credit for a waiting week, and in addition thereto was paid compensation equal to at least three times his weekly benefit rate then the "Wages of a Compensated Employee" which were the basis thereof shall be included in the "wages of compensated employees" for the employer for the same calendar quarter to which such wages were originally allocated by the department. Provided, that the provisions of this subsection shall not result in the removal or transfer of any "Wages of a Compensated Employee" for any calendar quarter to which such "Wages" were originally allocated by the department in determining "State Experience" as defined in subsection (s) of section four of this act.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendments:

Amend Section 3 (Section 301) page 15, line 17, by inserting after the word "or" the word "appropriate"; Amend Section 3 (Section 301) page 15, line 18, by striking out the following: "balance in the reserve account" and inserting in lieu thereof the following: "experience record"; Amend Section 3 (Section 301) page 16, line 13, by striking out the word "balance"; Amend Section 3 (Section 301) page 20, line 12, by striking out the following: "in the reserve account" and inserting in lieu thereof "experience record."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendments:

Amend Section 4 (Section 302) page 23, line 15, by striking out the following: "not greater"; Amend Section 4 (Section 302) page 23, by striking out all of line 16; Amend Section 4 (Section 302) page 23, line 17, by striking out at the beginning of said line the following: "Provisions of subsection (a) hereof"; Amend Section 4 (Section 302) page 28, line 3, by striking out after the word "which" the word "amount"; Amend Section 4 (Section 302) page 24, line 18, by striking out after the word "The" the word "average"; Amend Section 4 (Section 302) page 24, line 18 by striking out after the word "annual" the word "payrolls" and inserting in lieu thereof the word "payroll"; Amend Section 4 (Section 302) page 24, line 18, by striking out at the beginning of said line the following: "period ended June Thirtieth"; Amend Section 4 (Section 302) page 24, line 19, by striking out after the word and the following: "one thousand nine hundred forty-eight" and inserting in lieu thereof the following: "twelve month period ended June thirtieth one

thousand nine hundred forty-five"; Amend Section 4 (Section 302) page 25, line 9, by striking out after the word "the" and before the word "annual" the word "average"; Amend Section 4 (Section 302) page 25, line 18, by striking out after the word "His" the word "average"; Amend Section 4 (Section 302) page 25, line 19, by inserting after the word "the" the following: "twelve months"; Amend Section 4 (Section 302) page 26, line 1, by striking out at the beginning of said line the word "forty-eight" and inserting in lieu thereof the word "forty-five"; Amend Section 4 (Section 302) page 26, line 4, by striking out after the word "the" and before the work "annual" the word "average."

They were agreed to.

The section was agreed to as amended.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to,

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 367, one second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 374, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 408, on second reading, entitled:

An Act to add section one thousand fifty-four point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment of child behavior clinics in the offices of county superintendents and providing for the appointment of psychologists psychiatrists and psychiatric social workers for the operation of said clinics.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 410, entitled:

An Act to amend section four hundred forty-four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" reducing the minimum number of meetings to be held each year by the State Council for the Blind.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to amend sections one two three four and seven and to repeal section five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of certain taxes providing for an over-all limit on revenues to be collected annually and for the use of excess moneys collected requiring reduction of tax rates in certain cases and affording remedies to compel such reduction imposing limits on rates of certain taxes regulating appeals from tax ordinances and resolutions providing for joint agreements for the collection of taxes regulating penalties and interest on taxes.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend Section 1, page 4, line 10, by inserting after the word "fee" the following: "or which is now or does hereafter become specifically exempted or relieved from such state tax or license fee."

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 466, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary secondary and vocational schools.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 467, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the Pennsylvania Hospital Survey and Construction Act of 1947.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 469, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 470, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Reirement System with respect to State employes receiving compensaion from the Fish Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 481, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 486, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 488, entitled:

An Act to further amend section fifteen and twenty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by clarifying certain provisions eliminating provisions for signatures of county controllers and facsimile signatures and requiring the payment to the prothonotary of additional fees under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 492, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 493, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Public Building Construction Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania for the purpose of acquiring installing replacing and renewing certain equipment and machinery.

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 502, entitled:

An Act to establish within the Department of Health of the Commonwealth of Pennsylvania a public laboratory to render pathological and toxicological service to the coroners in the various counties and to the Department of Health in certain outbreaks of sickness.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensaion from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yoemen (female) and nurses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 505, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 509, entitled:

An Act to authorize the collection and preservation of scattered public records and manuscript materials of the Commonwealth by the Pennsylvania Historical and Museum Commission and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 513, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 514, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 543, on second reading, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by regulating the publication of ordinance and the letting of contracts eliminating publication of the controller's financial report providing for its filing with the clerk of the court of quarter sessions and allowing appeal therefrom upon the filing of a bond and regulating the making and publication of an annual report and financial statement by the director of accounts and finance after approval thereof by the controller.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend sections four and five of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 624, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 0.4135 acres more or less situate in the Township of Franklin County of Greene formerly used by the Department of Highways of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 629, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the quaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" and "Original member" to include persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section six hundred thirty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" empowering the Insurance Commissioner to refuse to renew licenses under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 637, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

be recommitted to the Committee on Insurance, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 638, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureas and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the computation of policy and loss reserves upon certain health and accident insurance and establishing certain standards relative to the same.

be recommitted to the Committee on Insurance. for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 641, on second reading, entitled:

An Act to amend section eight hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the requirements for contingent premiums

be recommitted to the Committee on Insurance for the purpose of further study.

The motion was agreed to.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 644, on second reading, entitled:

An Act to add section three hundred fifty-seven to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by prohibiting certain insurance companies from entering into contracts for additional compensation with their directors officers and employes and requiring prior approval by the Insurance Commissioner of management and general agency contracts

be recommitted to the Committee on Insurance for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 645, on second reading, entitled:

An Act requiring companies and organizations subject to the provisions of the act of June 11, 1947 (P. L. 538) or the act of June 11, 1947 (P. L. 551) or section 654 of the act of May 17, 1921 (P. L. 682) to maintain uniform classifications of accounts and records make uniform reports providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties

be recommitted to the Committee on Insurance, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 646, on second reading, entitled:

An Act to repeal the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 687) entitled "An act authorizing certain existing beneficial

or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies" in so far as the provisions thereof relate to the reincorporation or the merger and reincorporation of beneficial societies as stock companies

be recommitted to the Commiittee on Insurance for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 647, entitled:

An Act relating to insurers not authorized to transact business in this State providing for actions in this State against and for the service of process upon such insurers prescribing how a defense may be made by such insurers and providing for the allowance of attorneys fees in actions against such insurers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 649, on second reading, entitled:

An Act to amend section twenty-nine of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organizations and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by changing the basis for valuation determinations in certain respects

be recommitted to the Committee on Insurance.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that Senate Bill No. 650, on second reading, entitled:

An Act to add section thirty point one of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulated such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for services of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the computation of certificate and loss reserves with respect to noncancellable health and accident benefits

be recommitted to the Committee on Insurance.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

POINT OF ORDER

Mr. HALUSKA. Mr. President, just to keep the record straight, and to keep from having any more confusion, the three previous bills which were recommitted have no seconder.

The PRESIDENT. What is the point of order of the gentleman from Cambria?

Mr. HALUSKA. The point of order, Mr. President, is that the three bills that the gentleman from Cumberland moved back to committee for further study, Senate Bills No. 644, 645, and 646, were recommitted to the Committee on Insurance, and no one seconded the motion of the gentleman from Cumberland.

The PRESIDENT. I announced that Senator Hare had seconded the motion. Does the gentleman from Cambria object to the record showing that Senator Hare seconded the motion?

Mr. HALUSKA. I do not object, Mr. President but up until now we have had a harmonius session, but because of our haste yesterday, you failed to hear us second a motion that was put, and because of our haste today you did hear others second a motion. Now, Mr. President, to keep this session in order on a high plane, I hope that we can for the next two weeks go a little slower and give all of us the opportunity to do our duty, and I think that will please you, and also please us, and I make that statement now because I failed to hear anyone second the motion made by the gentleman from Cumberland, Senator Wade.

Mr. WALKER. Mr. President, we have here on the floor of the Senate two very competent stenographers who are taking down blow by blow this peaceful, harmonious session of the Senate. I would respectfully suggest to the gentleman from Cambria that if he so desires, I will ask for a recess at this time so that the official record that goes down in history can be consulted, and see whether or not the motion made by the gentleman from Cumberland, in reference to Senate Bill No. 637, had a seconder. When that point is decided, we can go ahead with the business of the session.

Mr. HALUSKA. Mr. President, if that motion was seconded, it was not made in the open.

Mr. WALKER. Mr. President, let us proceed with the business of the session.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 662, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh to assist the University of Pittsburgh in the construction of building space purchase of equipment and the installation of such equipment for the School of Medicine of the University of Pittsburgh for the purpose of enabling the University of Pittsburgh to accommodate a fifty per cent increase in the number of students accommodated by the University for the study of medicine

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 664, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for expenditure thereof for the purpose of study and research in the development of the adaptation of the acid open hearth process for the manufacture and improvement of steel more particularly of special grades of steel

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 672, on second reading, entitled:

An Act to further amend sections two four five and six of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Phamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by bringing additional types of buildings under the provisions of the act further revising the classification of buildings covered by this act further regulating ways of egress providing for fire proofing or the closing of vertical openings in buildings regulating the installation of equipment for the display or sale of merchandise prescribing the level on which gymnasiums used for public assembly may be placed prescribing permits for use of buildings used for exhibition of non-theatrical motion pictures or television broadcasts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 674, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges" by authorizing the Attorney General of the Commonwealth of Pennsylvania to issue to the prothonotaries of the courts of common pleas in the State of Pennsylvania his praecipe for the satisfaction of liens entered on the real estate of the land grant colleges of Pennsylvania under the provisions of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 736) and prescribing procedure therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 681, entitled:

An Act making an appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 718, entitled:

An Act to add section five hundred twenty-two to the act approved the tenth day of May one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a consolidated report by school directors covering all matters now or hereafter required to be reported to the Department of Public Instruction and the Public School Employes' Retirement Board imposing duties on the Department of Public Instruction and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 745, on second reading, entitled:

An Act to add section two hundred eleven point one to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges

providing penalties and repealing existing laws" by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 818, on second reading, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating or drinking places within this Commonwealth defining public eating or drinking places requiring their licensing defining licensor conferring certain powers upon the Department of Health of this Commonwealth and on the local health authorities providing for appeals in certain cases and conferring jurisdiction in such cases upon certain courts providing for summary proceedings for violations of this act and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate wtih and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by imposing upon counties a percentage of all public assistance costs and the powers and duties of administering public assistance through the county boards of assistance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 834, entitled:

An Act to reenact and amend the title and the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of any mandatory and injunctive relief for the enforcement of the provisions of this act" by including in the plan certain dental services defining "dental services" and further defining "medical services"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 835, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do busines within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by making further provisions relating to nonprofit medical service corporations by extending the provisions of said act relating to the furnishing of medical services by nonprofit medical service corpora-

tions so as to include the furnishing of certain dental services to subscribers and their dependents and by providing that the articles of incorporation of existing nonprofit medical service corporations are amended by the provisions of this act so as to authorize the furninshing of such dental services by doctors of dental surgery

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for the third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 852, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring all bonds issued by Authorities for the acquisition of real property to be uniform priority lien and standing and prohibiting the delegation of managerial powers except to political subdivisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of establishing and operating a poultry laboratory at the Pennsylvania State College and requiring the Poultry Industry to match the funds so appropriated

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amed Sec. 1, page 2, lines 1 to 7, both inclusive, by striking out the words "at the Pennsyl-" in line 1, all of lines 2 to 7, inclusive, and inserting in lieu thereof: "By the Department of Agriculture for the purpose of expanding the present services rendered to the poultry industry by the department."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to .

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend title, page 1, lines 2 and 3 of title, by striking out the words "establishing and operating a poultry laboratory at the Pennsylvania State College" and inserting in lieu thereof: "expanding its service to the poultry industry."

It was agreed to.

The title was agreed to, as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous censent that Senate Bill No. 870, on second reading, entitled:

An Act authorizing the court in any proceeding to establish paternity to order the parties therein to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. WALKER. Mr. President, I am making a motion to put this bill on the Senate Second Reading Postponed Calendar, and I want to say for the information of the Members of the Senate that the purpose of this is to hold it there until we can clear with the sponsors in the House some amendments which they are going to suggest to us.

Mr. President, my purpose for making this statement at this time in the faint hope that I will not be besieged with telephone calls over the weekend from every Parent-Teacher Association in my district, demanding to know why I am blocking their bill.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 871, on second reading, be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 874, entitled:

An Act to further amend subsection (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and board of school directors and imposing penalties" by requiring the registration commission to divide the county into registration centers and to provide registrars to sit thereinfor the registration of the electors in any borough town or township in the county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 874, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further regulating resettlements and further providing for liens of taxes bonus penalties and other accounts and interest.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County to connect with the Pennsylvania Turnpike or the Western extension thereof as such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 986, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions for the classification of school districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 898, on second reading, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorney authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by exempting television exhibitions from provisions of the act requiring special permits.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1046, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" by further prescribing the form and contents of contracts used in connection with such sales and the financing thereof by further regulating the refund for prepayment of instruments used in connection with such installment sales by further regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY, read in place and presented to the Chair Senate Bill No. 943, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class, and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes, authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter Sessions and to the Supreme Court and Superior Court," prohibiting the levying, assessment and collection of taxes on natural resources, or the production and processing thereof.

Which was committed to the Committee on Local Government.

Mr. WAGNER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, read in place and presented to the Chair Senate Bill No. 944, entitled:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines, and the expenses incident to their office.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 945, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the examination and clinical treatment of pupils by psychologists and psychiatrists.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I want to announce that I have just received a communication from Washington that the Committee of the Senate that has been named to meet with Mr. Oscar Ewing and Mr. Altemeyer, to discuss the problem of our state grant for the blind, is to meet Tuesday afternoon at one o'clock.

Mr. President, I would, therefore, request that since Senator Holland and myself are both on the Labor Committee, that the Labor Committee not be called together on Tuesday while we are in Washington. I would like the Majority Leader to see to that.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency,

the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

TREASURER, COUNTY OF CLINTON

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary S. Peck, Island Route, Lock Haven, Clinton County, for appointment as Treasurer in and for the County of Clinton, until the first Monday of January, 1950, vice Irvin G. Peck, deceased.

JAMES H. DUFF.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 551, PRINTER'S No. 190

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 551, Printer's No. 190, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

HOUSE MESSAGES

SENATE BILL No. 63 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 63, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," changing the requirements necessary for a hotel to qualify under said act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 200 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 200, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 218 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 218, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture,, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permtting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing the quantity of malt or brewed beverages to be sold by any manufacturer, distributor, importing distributor or retail dispenser; further regulating advertisements allowed on and about licensed premises.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 437 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 437, entitled:

An Act to further amend clause one of section three and clause two of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 500 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July

one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the amount of retirement or compensation payments tc persons now retired receiving survivor annuities or State compensation under the Public School Employes' Retirement System.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 288

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act," furthere defining the powers of weighmasters and the inspectors of weights and measures.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 291

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1068

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1068, entitled:

An Act to further amend section six hundred twenty-seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the leasing of school buildings or athletic fields for charitable purposes.

HOUSE CONCURS IN SENATE BILL No. 160

He also returned to the Senate, Senate Bill No. 160, entitled:

An Act to further amend section four hundred twelve and subsections (9) and (10) of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection wtih, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to certain members on retirement.

Senate Bill No. 246, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing retirement allowances from the one one-hundred sixtieth (1/160) basis to the one one-hundred fortieth (1/140) basis permitting retirement while under age sixty-two on full allowances after completing thirty-five years of credited service or on reduced allowances after twenty-five years of such service increasing the scale of disability benefits and providing supplemental State annuities to bring certain members' annuities up to the corresponding State annuities for like periods of service

House Bill No. 288, entitled:

An Act to further amend subsections (3) and (4) of section three and section seven of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act," further defining the powers of weighmasters and the inspectors of weights and measures.

House Bill No. 291, entitled:

An Act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Internal Affairs, and the inspectors of weights and measures of the several counties and cities; and prescribing penalties.

House Bill No. 1068, entitled:

An Act to further amend section six hundred twenty-seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the leasing of school buildings or athletic fields for charitable purposes.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

TREASURER, COUNTY OF CLINTON

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mrs. Mary S. Peck, Island Route, Lock Haven, Clinton County, for appointment as Treasurer in and for the County of Clinton, until the first Monday of January, 1950, vice Irvin G. Peck, deceased.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATION UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. WALKER and Mr. HARE,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination just reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WALKER and Mr. HARE,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do now rise.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 28, entitled:

An Act to further amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, and four thousand three hundred twenty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the retirement of firemen on pensions and requiring certain payments to be made to the Firemen's Pension Fund by cities.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating reimbursement by the Commonwealth.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

An Act authorizing the judges of the courts of common pleas to create medical clinics for the examination of persons charged with the commission of criminal offenses

prior to trial and of convicted persons prior to the imposition of sentence and of children charged with delinquency providing for the creation of joint medical clinics among the several counties and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 127, entitled:

An Act to amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further limiting the hours of service of paid firemen and drivers regularly employed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 145, entitled:

An Act to further amend clause (k) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards and commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards in commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" eliminating requirement that the Department of Public Instruction appoint members of advisory committees from lists submitted by State associations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act to amend sections four thousand three hundred two and four thousand three hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by prescribing a minimum period of total service and in certain cases a minimum age for police retirement

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 170, entitled:

An Act to amend section ninety-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing the limitation on the amount which may be spent for hotel and traveling expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 224, entitled:

An Act to amend section five hundred sixteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by eliminating the limitation upon the number of delegates a board of school directors may appoint to a State convention or association of school directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 226, entitled:

An Act to amend section nine hundred three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the expenses allowed to school directors for attending annual conventions of school directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 242, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the formation of a State Association of Recorders of Deeds providing for the payment by counties of certain expenses in connection therewith and renumbering certain existing sections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act to further amend section two of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State county purposes; and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying

existing legislation which provided for raising revenue for State purposes, " by further regulating the returns of taxable property and the payment of taxes by certain taxpayers under the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 290, entitled:

An Act to amend section nine and to further amend section ten of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" providing for arrests by inspectors of weights and measures and extending the provisions of the act to marking of the net quantity of the contents on packages sold by wholesalers jobbers or commission merchants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 300, entitled:

An Act to add sections ninety-nine point one ninety-nine point two and ninety nine point three to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "A act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a State association by county treasurers and providing that certain expenses are to be paid by the counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act to amend section two thousand four hundred thirty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An Act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto," by requiring the auditors in school districts of the second and third classes to publish annual financial statements and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 376, entitled:

An Act to further amend sections one thousand two hundred fourteen and one thousand two hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the employment of a supervising principal, granting certain powers, and defining his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 427, entitled:

An Act requiring political subdivisions to record a certified copy of any ordinance or resolution and amendments thereto, under which real estate is appropriated for public purposes in the office of the recorder of deeds of the county in which such real estate is situate; providing for indexing thereof; and the effect of the failure to record.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 442, entitled:

An Act to amend section eighty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto" by further providing for the payment of expenses of sheriffs at meetings of their State associations increasing the allowable expenses for holding the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 443, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties, to be imposed and enforced," by excluding as subjects of taxation income derived from investments and income derived from the sale or exchange of property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 493, entitled:

An Act to amend section one thousand one hundred eighty-eight of the act approved the tenth day of March one thousand nine hundred forty nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for compensation for attendance at meetings of teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 509, entitled:

An Act to amend sections six hundred fifty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto" by increasing the ratio of teachers to pupils in computing the real estate tax for school purposes in school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act to amend section two thousand five hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by increasing the amount of reimbursement for vocational extension classes and their supervision.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 527, entitled,

An Act to amend subsection (A) of section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for leaves of absence for illness upon the creation of a joint school or department or merged or union school district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 562, entitled:

An Act regulating the suspension removal or reduction in rank and furloughing and in certain cases the reinstatement of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 538, entitled:

An Act to amend section ninety-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further providing for the payment of expenses of prothonotaries and clerks of court attending meetings of the state association

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend sections one and two of the act, approved the fifth day of June, one thousand nine hundred thirty-five (P. L. 266) entitled "An act to protect trademark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," by extending the right of action, created by said act, to certain parties in interest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgements and the rights of parties with respect thereto; authoriing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties and repealing certain acts," by further regulating insurance and charges in connection with, and the obligations of persons financing such sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 609, entitled:

An Act to further amend section one thousand two hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining the nearest available magistrate before whom persons charged with violations must be brought in certain cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 629, entitled:

An Act to further amend sections one thousand one hundred one and one thousand one hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for petition to quarter sessions court when township supervisors fail or refuse to act upon petition of property owners to survey lay out widen straighten vacate or relay township roads.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 646, entitled:

An Act to amend section seventy-eight of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," increasing amount payable by counties for defraying expenses of controllers' association's annual meeting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act ascertaining and appointing the fees to be received by the prothonotaries of the courts of common pleas of the Commonwealth in counties of the first class and providing for the time of paying the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 671, entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 585) entitled "An act prohibiting the use of the designation of "college" by any institution not conforming to the standards of a college prescribed by the State Council of Education and providing for injunctions and penalties" extending the provisions of the act to the use of the word "university."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 679, entitled:

An Act to further amend sections one and two of the act, approved the eighth day of June, one thousand eight hundred ninety- three (P. L. 344 No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," by further prescribing the rights of married women relating to their conveyances and mortages of real property and certain of their contracts; and validating certain deeds mortgages and written instruments of married women and rights and titles to real property acquired thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 703, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by excluding auctioneers of land from the definition of real estate broker or salesman.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 712, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating the compensation of parttime teachers; defining "directed study;" and further regulating extension education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 747, entitled:

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished; revising amending, changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county controller for the expenses pertaining to the institution district for a temporary period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 772, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilties, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain procedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by defining the fair value of the property of a public utility and providing that just and reasonable rates shall be such as provide a fair return upon the fair value of the property as so defined

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 781, entitled:

An Act to amend sections one thousand one and one thousand fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment qualifications and compensation of supervisors to serve school districts under the jurisdiction of the county superintendent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 849, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to making the United Nations a law-making body with power to make and enforce laws against war

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 853, entitled:

An Act to amend section seven hundred seventy-five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the leasing of school property for any educational purpose approved by the Superintendent of Public Instruction or State Council of Education; and validating prior leases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 854, entitled:

An Act to amend subsection two of section two of the act, approved the tenth day of July, one thousand nine hundred forty-one (P. L. 307), entitled "An act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledges, and to make uniform the law with reference thereto," by clarifying interest rate which may be charged on trust receipt transactions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 858, entitled:

An Act providing for the recovery of certain consequential damages in eminent domain proceedings in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 862, entitled:

An Act establishing certain requirements of and providing for statements by certain individual sureties where real property is offered as security and making such statements a part of the bond or undertaking under which the same is given.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act to add section one thousand three hundred ten point one to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), en-

titled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the conversion of certain personal property taken without escheat, and conferring jurisdiction on the Court of Common Pleas of Dauphin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 893, entitled:

An Act to amend subsection (a) of section one thousand five hundred eighteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for text books on fire dangers and prevention of fire waste.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 894, entitled:

An Act to amend section seven hundred seventy-three of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting tapping of water lines of school districts under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved ....., one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No. ....., entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 902, entitled:

An Act to amend sections one and two of the act, approved the sixteenth day of May, one thousand nine hundred twenty-one (P. L. 579) entitled "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," by changing membership of the board of inspectors and provisions relating to fixing salaries of warden, deputies, assistants and keepers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 906, entitled:

An Act to further amend clause (e) of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties, and citing certain acts for repeal," by excepting personal property held by husband and wife as joint tenants, with right of survivorship, from taxes imposed by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading ad consideration of House Bill No. 908, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," declaring a vacancy in the office of county commissioner and auditor in case of failure to qualify or if no successor is elected; regulating letting of contracts in counties having county auditors; and providing for fixing salaries of employes of workhouses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 924, entitled:

An Act to provide for an additional law judge of the court of common pleas in the tenth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 988, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 844) entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts, vocational school districts, and institution districts to make contracts of life, health, hospitalization, medical services, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," as amended, to further define insurance companies authorized to make such contracts of insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 989, entitled:

An Act to amend section one thousand one hundred and thirty-seven of Article XI, and sub-section XXX of section one thousand two hundred and two of Article XII of the act of July tenth, one thousand nine hundred forty-seven (P. L. 1621), entitled "An act to re-enact, amend and revise the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," further defining the types of insurance contracts that boroughs may provide for policemen employed by the borough and for volunteer firemen serving the borough.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1014, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice and teaching of barbering, the annual renewal of certificates and the eligibility requirements for examinations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1018, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act to amend article thirteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the cancellation of any certificate, license, permit or registration obtained through fraud or misrepresentation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act to amend section three hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to every county commissioner for the expenses pertaining to the institution district for a temporary period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1220, entitled:

An Act to amend subsection (a) of section three hundred eight of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds therof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing district and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the time for giving delinquent taxables notice of the entry of tax claims; extending the time for making returns and transfers of taxes to, and for giving notices of, tax claims by the tax bureau; validating, ratifying and confirming such actions though not performed within the time prescribed by said act; providing for the sale of properties against which such tax claims are filed and reinstating and validating the liens of such taxes which have been lost.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1256, entitled:

A Joint Resolution proposing an amendment to section eighteen article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain revenues for the acquisition of bridges and toll bridges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE REGISTRATION COMMISSION, CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor Office, Harrisburg, April 13, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Registration commission in and for the City of Philadelphia:

Charles W. Sweeney, Esq., (Republican), 2133 Spring Garden Street, Philadelphia, Philadelphia County, to serve until January 6, 1953, and until his successor is qualified. (Reappointment)

Kendall H. Shoyer (Republican), 6373 Woodbine Avenue, Philadelphia, Philadelphia County, to serve until January 6, 1953, and until his successor is qualified. Reappointment)

Miss Elizabeth V. Maguire (Republican), 1510 North 15th Street, Philadelphia 21, Philadelphia County, to serve until January 6, 1953, and until her successor is qualified. (Reappointment)

Victor E. Moore (Democrat), 431 South 46th Street, Philadelphia, Philadelphia County, to serve until January 6, 1953, and until his successor is qualified. (Reappointment)

Walter S. Pytko (Democrat), 4476 East Thompson Street, Philadelphia, Philadelphia County, to serve until January 6, 1953, and until his successor is qualified, vice Michael R. Kerwick (Democrat), Philadelphia, deceased.

JAMES H. DUFF.

ANNOUNCEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I desire to advise the Members of the Senate that next week we will endeavor to run five days so that we will be in a position to adjourn sine die on April 28, and the cooperation of the Members of the Senate is respectfully requested.

Now, Mr. President, I also want to call the attention of the Members of the Senate to the fact that the Senate will meet at one o'clock on next Monday, and not at four o'clock.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 18, 1949, at 1:00 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:43 o'clock, p. m., Eastern Standard Time, until Monday, April 18, 1949, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 13, 1949

The House met at 11:00 A. M.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Rev. William Hugh Fryer, offered the following prayer:

O God, without Whom our labour is but lost, and with Whom our little ones go forth as the mighty; look favourably, we beseech Thee, upon all works undertaken according to Thy will, and especially upon that which has been committed to our hands. And grant unto Thy servants a pure intention, patient faith, sufficient success on earth, and the blessedness of serving Thee in heaven. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 12, 1949.

The Clerk proceeded to read the Journal of Tuesday, April 12, 1949, when, on motion of Mr. HAGERTY unanimously agreed to, the further reading was dispsensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Messrs. GOODLING, GREEN and SEYLER.

HOUSE BILL No. 1329.

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase, on behalf of the Commonwealth, the Codorus Forge and Furnace in Hellam Township, York County.

Referred to the Committee on Appropriations.

SENATE MESSAGES

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 167.

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs township institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 114.

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district

HOUSE BILL No. 153.

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

HOUSE BILL No. 190.

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" by making the provisions thereof mandatory under all circumstances

HOUSE BILL No. 228.

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent

HOUSE BILL No. 279.

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within bituminous regions and regulating mining and the removal of natural surface support in cities

HOUSE BILL No. 287.

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescribing minimum penalties

HOUSE BILL No. 289.

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for

the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices

HOUSE BILL No. 518.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by prescribing limitations upon enforcement of payments by employers of contributions interest and penalties

HOUSE BILL No. 553.

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

HOUSE BILL No. 554.

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business

HOUSE BILL No. 792.

An Act to amend section three of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

HOUSE BILL No. 933.

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for the voluntary liquidation and dissolution of banks bank and trust companies and trust companies and repealing certain acts and parts of acts

HOUSE BILL No. 991.

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 5.

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties.

SENATE BILL No. 191.

An Act to further amend Section three of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment of money" by making further provision for the collection and dishonor of demand items by banks and the revocation of credit for and payment of such items

SENATE BILL No. 192.

An Act to further amend subsection A of Section one hundred twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by authorizing investments in second liens in cases and under conditions herein specified

SENATE BILL No. 230.

An Act to amend section one of the act approved the twenty-eighth day of May one thousand eight hundred fifty-eight (P. L. 622) entitled "An act regulating the Rate of Interest" by excepting loans made under the National Housing Act

SENATE BILL No. 231.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by modifying limitations upon officers holding more than one office permitting additional borrowing permitting additional investment in property used in the transaction of business broadening mortgage lending limitations and permitting associations to make loans to mortgagors for improvements on notes insured under the National Housing Act

SENATE BILL No. 340.

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Dental Hygienist" and further regulating the practice of Dental Hygienists.

SENATE BILL No. 432.

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 998) entitled "An act imposing a tax for State purposes on marine insurance underwriting profits and providing for the collection of such tax" by making the tax payable at the time reports are made

SENATE BILL No. 433.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for the assessment of taxes on marine insurance profits concurrently with the filing of reports and for the settlement of same by the Department of Revenue and fixing penalties

SENATE BILL No. 531.

An Act to further amend section three hundred seventy of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the county commissioners during the last fifteen days of any fiscal year to transfer and reappropriate any county funds to the institution district

SENATE BILL No. 543.

An Act to amend section three hundred five of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children, prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the state department of welfare, and the state department of public assistance in respect thereto, abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them, providing for the transfer, vesting sale and disposition of the property of poor districts and the payment of their obligations, imposing certain existing obligations on institution districts and on the Commonwealth, regulat-

ing the affairs of poor districts until abolished, revising, amending, changing and consolidating the law relating to the care of the poor and repealing existing laws," by requiring the approval of the court of quarter sessions for acquiring real property and for selling or leasing real and personal property.

SENATE BILL NO. 561.

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by imposing certain restrictions regarding preparation of proposed budgets.

SENATE BILL No. 565.

An Act to further amend paragraph (1) of subsection A of section nine hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by imposing certain restrictions regarding preparation of proposed budget.

SENATE BILL No. 654.

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the City of Philadelphia

SENATE BILL No. 769.

An Act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district.

Whereupon,

The SPEAKER in the presence of the House signed the same.

PENNSIDE JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House thirty-one tenth grade students of the Pennside Junior High School, Lower Alsace Township, Berks County, under the supervision of their Supervising Principal, Mr. John A Hibschman and their teachers, Mrs. Marjorie Sanders, Miss Jane Cunnius and Mr. Nevin Matz. They are the guests of the gentleman from Berks, Mr. Weidner.

REPORTS FROM COMMITTEES

Mr. RILEY from the Committee on Education, reported as amended, Senate Bill No 445, entitled:

An Act to amend sections six hundred fifty-two and six hundred seventy-two and to add section seven hundred nine to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by requiring school districts of the first class to levy additional taxes to pay rentals to municipality authorities or authorities created by the General Assembly having State-wide jurisdiction; authorizing school districts of other classes to levy additional taxes for such purposes; and authorizing school districts singly or jointly with other school districts to convey property to municipality authorities to make appropriations to such authorities and to contract with and lease property from such authorities.

Mr. NEEDHAM from the Committee on Military Affairs, reported as committed, House Bill No. 240, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by including Catholic War Veterans, Inc. among the veterans' organizations to which certain appropriations may be made.

Mr. ROBERT A PRICE from the Committee on Military Affairs, reported as committed, House Bill No. 241, entitled:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by including Catholic War Veterans, Inc. among the veterans' organizations for which certain appropriations may be made.

Mr. ROVANSEK from the Committee on Counties, reported as committed, House Bill No. 320, entitled:

An Act to amend section one of the act, approved the third day of April, one thousand nine hundred twenty-nine (P. L. 127), entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class," changing said fees.

Mr. KEMP from the Committee on Welfare, reported as committed, House Bill No. 529, entitled:

An Act to further amend a part of section one hundred and three of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by further defining "qualified physicians."

Mr. ROBERTSON from the Committee on Counties, reported as committed, House Bill No. 539, entitled:

An Act to add section two hundred thirty-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing prothonotaries and clerks of the courts of quarter sessions and oyer

and terminer to appoint solicitors; and prescribing the terms and duties, and providing for the salaries of such solicitors.

Mr. KOLANKIEWICZ from the Committee on Military Affairs, reported as committed, Senate Bill No. 56, entitled:

An Act to further amend sections two and three and to amend section four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

Mr. EVANS from the Committee on Education, reported as committed, Senate Bill No. 58, entitled:

An Act to amend sections one thousand three hundred ten, one thousand three hundred thirty-eight and one thousand five hundred thirty-one of the act approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing certain provisions relating to age of pupils and providing for grading and classification of pupils in the public schools.

Mr. HARRY W. PRICE from the Committee on Welfare, reported as committed, Senate Bill No. 436, entitled:

An Act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh.

Mr. BREISCH from the Committee on Education, reported as committed, Senate Bill No. 458, entitled:

An Act to amend section one thousand three hundred four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to admissions of beginners.

Mr. HARVEY A. MOORE from the Committee on Counties, reported as committed, Senate Bill No. 676, entitled:

An Act to amend sections three hundred forty-five three hundred forty-six three hundred sixty-three three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing fiscal years of counties providing for a temporary fiscal period to effectuate such change and regulating budgets audits and financial reports.

Mr. WHEELER from the Committee on Counties, reported as committed, Senate Bill No. 691, entitled:

An Act to amend section seventeen point three of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" by extending the retirement privileges of certain county officers.

Mr. ELDER from the Committee on Military Affairs, reported as committed, Senate Bill No. 702, entitled:

An Act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth; for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth.

Mr. SEYLER from the Committee on Education, reported as committed, Senate Bill No. 763, entitled:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof, grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 240, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," by including Catholic War Veterans, Inc. among the veterans' organizations to which certain appropriations may be made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 241, entitled:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto" by including Catholic War Veterans Inc. among the veterans' organizations for which certain appropriations may be made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 320, entitled:

An Act to amend section one of the act, approved the third day of April, one thousand nine hundred twenty-

nine (P. L. 127), entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class," changing said fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 539, entitled:

An Act to add section two hundred thirty-eight to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing prothonotaries and clerks of the courts of quarter sessions and oyer and terminer to appoint solicitors; and prescribing the terms and duties, and providing for the salaries of such solicitors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend sections two and three, and to amend section four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 58, entitled:

An Act to amend sections one thousand three hundred ten, one thousand three hundred thirty-eight and one thousand five hundred thirty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing certain provisions relating to age of pupils and providing for grading and classification of pupils in the public schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act to amend section one thousand three hundred four of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admissions of beginners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act to amend sections three hundred forty-five three hundred forty-six three hundred sixty-three three hundred seventy and three hundred seventy-one of and to add section three hundred sixty-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. (1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing fiscal years of counties providing for a temporary fiscal period to effectuate such change and regulating budgets audits and financial reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act to amend section seventeen point three of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" by extending the retirement privileges of certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An Act providing for powers responsibilities duties and limitations of the Governor Adjutant General's Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitation of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act designating the Superintendent of Public Instruction as the State educational authority authorized to apply to and receive from the Federal Government or any agency thereof grants in aid of the public schools and for educational activities therein and providing for the disbursement of such funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 114.

An Act to add clause (8) to section seven hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing conveyance by school districts of the third and fourth class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district.

HOUSE BILL No. 153.

An Act to further amend section twelve of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations.

HOUSE BILL No. 167.

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivions, for the care. maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the transfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

HOUSE BILL No. 190.

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" excepting emergencies and unusual conditions from the mandatory provisions thereof.

HOUSE BILL No. 228.

An Act to amend section two thousand five hundred sixty-four of and to add section two thousand five hundred sixty-five to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts and parents in certain cases sending pupils to a district of the fourth class which is paying a sewer charge or rental on a per pupil basis to pay to the receiving district such charge or rental for each pupil sent.

HOUSE BILL No. 279.

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the creation of bureaus of mine inspection and surface support by cities within bituminous regions and regulating mining and the removal of natural surface support in cities.

HOUSE BILL No. 287.

An Act to further amend section five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" prescribing minimum penalties

HOUSE BILL No. 289.

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" extending the provision thereof to measuring devices

HOUSE BILL No. 518.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in

the custody of the State Treasurer and prescribing penalties" by prescribing limitations upon enforcement by payments by employers of contributions interest and penalties.

HOUSE BILL No. 553.

An Act to amend subsection B of section one thousand nine of the act approved the fifteenth day of May on thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

HOUSE BILL No. 554.

An Act to further amend sections one thousand six and one thousand seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

HOUSE BILL No. 792.

An Act to amend section three of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by authorizing the Secretary of Health to make necessary rules and regulations for the enforcement of this act.

HOUSE BILL No. 933.

An Act to amend the Table of Contents and to further amend article fourteen by adding at the end thereof a new section one thousand four hundred and twenty-three to the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for the voluntary liquidation and dissolution of banks bank and trust companies and trust companies and repealing certain acts and parts of acts.

HOUSE BILL No. 991.

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 735) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

STATE COLLEGE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House sixteen seniors of the class in Office Management, Department of Business of State College High School under the supervision of their instructor, Mrs. Ellen J. Maynard. They are the guests of the gentleman from Centre. Mr. Frost.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L.343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of account and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license

fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further defining the right of the Department of Revenue to release liens for taxes interests penalties and other accounts due the Commonwealth

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1291, entiled:

An Act to further amend subsection (a) of section nine of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Depaartment and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and spervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by further providing for the determination of persons of low income

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1292, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further providing for the determination of persons of low income. by nonprofit medical service corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirement of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid in capital and clearance certificates in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

(At this point, a photograph of the Members of the House was taken.)

PERMISSION TO ADDRESS HOUSE

MR. BRUNNER. Mr. Speaker, prior to the beginning of today's session the Minority Leader and I were considering the advisibility of suggesting the absence of a quorum in this House, so that a roll could be taken to determine those Members who were present and those who were absent. I, of course, did not realize that the Speaker had gone far beyond what we intended to do and had arranged to have the picture taken of those who were present at today's session.

THE SPEAKER. The Majority Leader will be surprised what he will find behind the books.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consid erationof House Bill No. 95, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

And said bill having been read at length the second time and agreed to ,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 103, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 182, entitled:

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts Page 53 Act No 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 183, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No 302, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities for wards of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 378, entitled:

An Act making an appropriation to The Academy of Natural Science of Philadelphia to be used for salaries supplies and equipment in providing certain services to the public and for the purpose of the maintenance of the building of said academy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 383, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 422, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act transferring money from the Banking Fund to the General Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 524, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the purpose of experimentation in the breeding of goats and investigation into the quality and uses of goat milk

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 525, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 567, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloisters an important historical shrine belonging to the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and considertaion of House Bill No. 670, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research including archaeological excavations pertaining to the activities and glass works of the famous Pennsylvania ironmaster glassmaker and townbuilder (Henry William) Baron von Stiegel

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 696, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 706, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the improvement of the livestock industry of Pennsylvania; and providing for and appropriating a revolving fund for such purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 822, entitled:

An Act to further amend section thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by providing for the supervision by the Pennsylvania Board of Parole of certain committed juveniles after their releaste upon the request of the court by which such juveniles were committed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 897, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 931, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for purchasing preserving repairing and exhibiting Pennsylvania material.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 973, entitled:

An Act to authorize the publication by the Pennsylvania Historical and Museum Commission of the papers of the twentieth-century governors of the Commonwealth and providing and appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1032, entitled:

A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain members to obtain credit for military service who were not eligible members at time of entry into military service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education establishing within such Division a lending and exchange library of records transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1095, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1120, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to develop a farmers' museum designating purposes of such museum and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1121, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre of Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the use of the Waters and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1123, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

MR. DENNISON asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1124, entitled:

An Act making an appripriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction of a new Boy's Dormitory.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1125, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1126, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1127, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1129, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1131, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

SAINT BASIL'S HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House the Senior Class of Saint Basil's High School, Dushore, accompanied by their Principal, Mother Gertrude Marie and instructors, Sister M. Beatrice and Sister M. Willemyn. They are the guests of the gentleman from Sullivan, Mr. Baumunk.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1132, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thouand nine hundred forty-nine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1138, entitled:

An Act to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1139, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the World War II Veterans' Act of 1947 and making an appropriation out of the World War II Veterans' Compensation Fund to reimburse the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1142, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Pensylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate and buildings and an endowment fund for the Warrior Run Church and Cemetery located in Northumberland County Pennsylvania and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1219, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preparation and publication of a revised edition of "Frontier Forts" and for the collection and compilation of source materials for this purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1231, entitled:

An Act promoting and assisting the study and teaching of Pennsylvania and local history in the schools by encouraging historical activities on the State and local level authorizing the Pennsylvania Historical and Museum Commission to cooperate with the Pennsylvania Federation of Historical Societies or with its constituent historical societies in a program of historical investigation and publication designed to preserve and make readily available the materials for such study and teaching and to stimulate study and writing on various phases of Pennsylvania's great past and to publish the results or such study and writing for the use of the schools and for public information and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart to provide convalescent care and hospital treatment in such cases and for renovation and equipment of real property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1310, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may became due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1320, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1321, entitled:

An Act making an appropriation to the General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1323, entitled:

An Act making an appropriation to the Department of Property and Supplies to acquire certain tracts of land adjacent to Slippery Rock State Teachers College in Butler County Pennsylvania with the approval of the Governor and the Board of Trustees of Slippery Rock State Teachers College.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1325, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1326, entitled:

An Act making an appropriation to the Department of Welfare for the Maintenance of certain homes.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1328, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, what is the parliamentary position of House Bill 454?

The SPEAKER. The parliamentary position of House Bill 454 on page 16 is on second reading, having been read for the first time yesterday.

Mr. ANDREWS. Mr. Speaker, was there ever a printed copy of House Bill No. 454 in the possession of this House, in its present form?

The SPEAKER. The Chair has been informed that there was a printed bill of No. 454 in the possession of this House. However, in its present form it was not on the Members' desks.

Mr. ANDREWS. When, Mr. Speaker, was the bill in printed form in the possession of the House?

The SPEAKER. The Chair is informed by the Sergeant at Arms, and states for the information of the gentleman from Cambria, that the bill that was delivered to the possession of the House yesterday arrived during the session. The Chair is unable to determine exactly whether the bill was in the possession of the House in the form sent to the Printer at that time either before or after actually having been read for the first time.

Mr. ANDREWS. Mr. Speaker, should not the bill be properly read on first reading today? My point is that it has never been properly read for first reading.

The SPEAKER. For the information of the gentleman from Cambria, if there is any doubt in his mind or in the minds of any of the Members as to the bill's having been properly read on first reading, the Chair will entertain a motion to reconsider the vote by which the bill passed first reading, and then have it read the first time.

RECONSIDERATION OF VOTE

Mr. ANDREWS. Mr. Speaker, I move that the vote by which this bill was passed on first reading be reconsidered.

Mr. BRUNNER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cambria vote on passing the bill on first reading?

Mr. ANDREWS. Mr. Speaker, if I was voting, I voted "aye".

The SPEAKER. How did the gentleman from Montgomery vote on passing the bill on first reading?

Mr. BRUNNER. With the majority, Mr. Speaker.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provision applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education and district superintendents

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 967, entitled:

An Act to add section 1501.1 to the Act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating

and changing the law relating thereto" empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and order and to connect properties of owners failing or neglecting to make connection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1189, entitled:

An Act to amend section twelve of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by further regulating certain permissible charges

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Sec. 1 (Sec. 12), page 2, line 8, by inserting after the word "Charges" the following: "(a)".

Amend Sec. 1 (Sec. 12), page 2, lines 12 to 16, by striking out "one service charge" in line 12, all of lines 13. 14, 15 and "duration of the loan and in addition thereto" in line 16.

Amend Sec. 1 (Sec. 12), page 2, line 18, by striking out all of said line and inserting in lieu thereof: "[A Not more than two per cent (2%) per".

Amend Sec. 1 (Sec. 12), page 3, line 1. by striking out the bracket before the word "for".

Amend Sec. 1 (Sec. 12), page 3, line 2, by striking out the bracket after the word "thereafter".

Amnd Sec. 1 (Sec. 12), page 3, line 10, by inserting after the word "Not" the following:] not".

Amend Sec. 1 (Sec. 12), page 3, lines 10 and 11, by striking out "[two and one-half per cent (2 1-2%)] three per cent (3%)" and inserting in lieu thereof: "two and one-half per cent (2 1-2%)".

Amend Sec. 1 (Sec. 12), page 3, line 11, by inserting a bracket before the word "on".

Amend Sec. 1 (Sec. 12), page 3, line 12, by inserting after the word "pledged" the following: "] on that part of the unpaid principal balance of any loan not in excess of one hundred fifty dollars ($150.00) and one and one-half per cent (1 1-2%) per month on any remainder of such unpaid principal balance".

Amend Sec. 1 (Sec. 12), page 3, line 13, by inserting before the word "The" the following: "(b)".

Amnd Stc 1. (Sec. 12). page 4, line 1, by inserting before the word "A" the following "(c)".

Amend Sec. 1 (Sec. 12). page 4, line 5, by inserting before the word "No" the following "(d)".

Amend Sec. 1 (Sec. 12). page 4, line 9, by inserting a bracket before the word "The" where it appears the first time.

Amend Sec. 1 (Sec. 12). page 4, line 16, by inserting a bracket after the word "classification".

Amend Sec. 1 (Sec. 12), page 4, line 17, by inserting before the word "A" the following "(e)".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COSTA asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 30, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hunudred thirty-seven (Pamphlet Laws 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by changing the definition of the word court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No 46, entiled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting provisions for minimum salaries and increments to teachers holding valid certificates for the subjects or grades in which they give instruction postponing the enforcement of penalties on school districts for employing teachers with emergency certificates and imposing a penalty on school districts for employing teachers without certification valid for the subjects or grades in which they give instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 116, entitled:

An Act to amend section one of the act approved the twenty-fifth dav of June one thousand nine hundred forty-seven (P. L. 933) entitled "An act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class" by making the fees of registers of wills in counties of the fifth sixth seventh and eighth classes uniform

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 117, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 963) entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties

of the fifth sixth seventh and eighth class by making the fees of clerks of the orphans' courts in counties of the fifth sixth seventh and eighth classes uniform

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring school districts of the first class to levy additional taxes to pay rentals to authorities created by the General Assembly having statewide jurisdiction authorizing school districts of other classes to levy additional taxes to pay rentals to the State Public School Building Authority authorizing boards of school directors to make additional appropriations or to increase existing appropriations pay over money raised from bond issues to meet leases or contracts to lease from the State School Building Authority authorizing school districts to enter into contracts of insurance of leased property authorizing school districts singly or jointly with other districts to convey or lease property and to appropriate money including proceeds of general obligation bonds to the State Public School Building Authority and to acquire additional property for such purposes and to contract with and lease property from said Authority requiring withholding of State appropriations for nonpayment of rental and authorizing payment to the Authority and authorizing payment by school districts for operation and maintennace of leased buildings furnishings and equipment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals or candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 234, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by providing for the filing of supplemental statements giving notice of change of address and setting fees for filing such statements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 235, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means or reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by empowering the Secretary of State and the prothonotary to make an additional charge for entering the names of certain individuals on applications

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 262, entitled:

An Act relating to collection of taxes on real property limiting the time for commencing suit to enforce personal liability for such taxes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 273, entitled:

An Act to reenact the title and section one of the act, approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110), entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations," as amended.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act relating to public records of political subdivisions other than cities and counties of the first class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photograph microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 463, entitled:

An Act authorizing and empowering the Secretary of Highways, with the approval of the Governor, to construct bridges, and approaches thereto to connect State highway routes under certain terms and conditions; conferring the power of eminent domain for such purpose; authorizing agreements with political subdivisions for sharing the property damage and construction costs; authorizing the Secretary of Highways to enter into agreements for the construction of such bridges and approaches by any State authority or agency having statutory authority to undertake such construction; and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 522, entitled:

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to erect and maintain, a bridge over the Susquehanna River, connecting the State Highway systems in Cumberland County with the system of State highways in Dauphin County, and to provide the necessary approaches and connections with such State highways; empowering counties to pay certain damages; and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bil No. 653, entitled:

An Act to amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458) entitled "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the second class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State, or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by extending the provisions of the act to certain cities.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 666, entitled:

An Act to amend section three thousand seven hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the appointment of the members of recreation boards

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section four hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by deleting the provisions which limit the number of wards in such cities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 711, entitled:

An Act to further amend subsection (d) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by stating under what circumstances sureties shall be discharged from liability

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 721, entitled:

An Act to amend section three of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future sillting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," by prohibiting any dredging operations deemed inimical to the project.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Stnate Bill No. 781, entitled:

An Act to amend the title and the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 884), entitled "An act modifying the common-law rule relating to property hereafter acquired by husband and wife as tenants by entireties, where such husband and wife was subsequently divorced; providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced; and directing the distribution of the proceeds of such sale," by providing for the creation of a tenancy in common upon divorce.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 480, Printer's No. 654,
House Bill No. 718, Printer's No. 567,
House Bill No. 757, Printer's No. 609,
House Bill No. 912, Printer's No. 557 and
House Bill No. 916, Printer's No. 582

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places withir this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

On the question,

Will the House agree to the bill on third reading?

Mr. HEATHERINGTON. Mr. Speaker, I ask unamimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 3, lines 4 and 5, by striking out the words and figures "five dollars ($5.00)" and inserting in lieu thereof: "two dollars and fifty cents ($2.50)."

Amend Sec. 1 (Sec. 2), page 3, line 15, by striking out the words and figures "five dollars ($5.00)" and inserting in lieu thereof: "two dollars and fifty cents ($2.50)."

Amend Sec. 1 (Sec. 13), page 3, line 18, by striking out the words "the burgess if the violation is in a borough or before."

Amend Sec. 1 (Sec. 13), page 4, line 1, by inserting after the word "committed" the following: "or by the burgess if the violation is in a borough."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 987, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personal Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by granting certain preferences to soldiers in examinations selection and appointment of eligibles and furloughs.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title, by striking out the words "and furloughs."

Amend Sec. 4, page 9, lines 17 and 18, by striking out all of said lines.

Amend Sec. 4, page 10, lines 1 and 2, by striking out all of said lines.

Amend Sec. 4 (Sec. 802), page 10, lines 3 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 4 (Sec. 802), page 11, lines 1 to 16, both inclusive, by striking out all of said lines.

Amend Sec. 5, page 11, line 17, by striking out the figure "5" and inserting in lieu thereof "4".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection?

The Chair rears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1008, Printers No. 612 and

House Bill No. 1289 Printers No. 657

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 63, as follows:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" changing the requirements necessary for a hotel to qualify under said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" is hereby amended to read as follows

Section 1 Definitions The word "hotel" as used in this act shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations at least one-half of the required number of bedrooms shall be regularly available to transient guests seven days weekly except in resort areas at least one third of such bedrooms shall be equipped with hot and cold water a lavatory commode bathtub or shower and a clothes closet and an additional one-third of the total of such required rooms shall be equipped with lavatory and commode

(a) In municipalities having a population of less than [one] three thousand shall have at least [six] twelve permanent bedrooms for the use of guests

(b) In municipalities having a population of [one] three thousand and more but less than [three] ten thousand inhabitants shall have at least [ten] sixteen permanent bedrooms for the use of guests

(c) In municipalities having a population of [three] ten thousand and more but less than [one hundred] twenty-five thousand inhabitants shall have at least [twelve] thirty permanent bedrooms for the use of guests [and]

(d) In municipalities having a population of [one hundred] twenty-five thousand and more but less than one hundred thousand inhabitants shall have at least [fifteen] forty permanent bedrooms for the use of guests and

(e) In municipalities having a population of one hundred thousand or more inhabitants shall have at least fifty permanent bedrooms for the use of guests

All such hotels shall have a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the dining room or rooms in which food is regularly prepared for the public

The word "person" shall mean every natural person association or corporation

The word "municipality" shall mean any city borough incorporated town or township

The term "bedrooms" shall mean bedrooms each of which shall have an area of not less than eighty square feet and an outside window

Section 2 The provisions of this amending act shall not apply to hotel licenses heretofore granted or that may hereafter be granted on any application made and pending prior to the effective date of this act nor to any renewal or transfer thereof or hotels under construction or for which a bona fide contract has been entered into for construction prior to the effective date of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Andrews,	George,	Madigan,	Rovansek,
Bane,	Gibson,	McCullough,	Royer,
Barkdoll,	Glembocki,	McGee,	Sarraf,
Baumunk,	Good,	McKinney,	Sax,
Beaver,	Goodling,	McMillen,	Schmidt,
Bednarek,	Graybill,	McNally,	Scott,
Blair,	Green,	Mihm,	Seyler,
Bloom,	Greenwood	Mikula,	Shoemaker,
Boles,	Greer,	Miller,	Smith, C. C.,
Bomberger,	Guarnieri,	Milliken,	Smith, W. B.,
Bower,	Guthrie,	Mills,	Snider,
Brandon,	Hagerty,	Mintess,	Sollenberger,
Breisch,	Hall,	Monroe,	Spencer,
Breth,	Hamilton,	Moore, C. E.,	Stank,
Brice,	Harney,	Moore, H. A.,	Sternberg,
Brown, H. S.,	Haudenshield,	Munley,	Stimmel,
Brown, W. E.,	Helm,	Murray,	Stuart,
Brunner,	Herman,	Musto,	Swope,
Bucchin,	Hersch,	Nagel,	Tahl,
Cadwalader,	Hewitt,	Najaka,	Taylor,
Clapper,	Hocker,	Needham,	Thompson,
Clendening,	Hoffman,	Neff,	Tompkins,
Cole,	Jennings,	Nixon,	Toomey,
Coleman,	Jim,	O'Dare,	Varner,
Conway,	Johnson,	O'Donnell,	Verona,
Cooper,	Jones, G. E.,	Olsen,	Wachhaus,
Costa,	Jones, J. M.,	Orban,	Wagner,
DeLong,	Jump,	Penglase,	Wargo,
Dennison,	Kamyk,	Pentrack,	Waterhouse,
Depuy,	Keller,	Peta,	Watkins
Dougherty,	Kemp,	Petrosky,	Weidner,
Driscoll,	Kent,	Pfaff,	Weiss,
Duffy,	Kirley,	Polen,	Welsh,
Dye,	Kline,	Posta,	Wescott,
Elder,	Kohl,	Price, H. W., Jr.,	Westrick,
Erb,	Kolankiewicz,	Price, R. A.,	Wheeler,
Evans,	Kondrath,	Propert,	Williams,
Felton,	Kratz,	Readinger,	Wood,
Ferster,	Kurtz,	Reagan,	Worley,
Filo,	Lederer,	Reidenbach,	Yaffe,
Firmstone,	Lee,	Reilly, J. M.,	Yeakel,
Flack,	Leisey,	Reynolds,	Yester,
Fleming,	Leonard,	Riley, R. L.,	Yetzer,
Fox,	Limper	Robbins,	Young,
Frost,	Loftus,	Robertson,	Ziegler,
Gaffney,	Lovett,	Rose,	Sorg,
Gallagher,		Rosen,	Speaker

NAYS—6

Dalrymple,	Heatherington,	Jenkins,	Moran,
Floyd,	Hunter,		

NOT VOTING—18

Altshuler,	Ewing,	Krise,	Reese,
Amarando,	Frank,	McCormack,	Scanlon,
Boorse,	Harris,	Pettigrew,	Schuster,
Cochran,	Hoggard,	Powers,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 160, as follows:

An Act to further amend section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferrig powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 412 Sale of malt or brewed beverages Every license issed to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt or brewed beverages at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than clubs may sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than [Seventy-two] one hundred forty-four fluid ounces in a single sale to one person no licensee under this act shall at the same time be the holder of any other license except a retail dispensers license authorizing the sale of malt or brewed beverages only

Section 602 Unlawful Acts

* * * *

(9) [It shall be unlawful for any licensee or his servants agents or employes except a manfacturer on his own premises to display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatever relating to liquor or malt or brewed beverages unless the actual value of such advertisement if hereafter erected shall not be more than twenty-five dollars No sign or advertisement leased furnished or sold by a manufacturer importer importing distributor or distributor shall contain thereon anything except the trade name trade-mark or place of manufacture of the liquor or malt or brewed beverages manufactred or sold by him] It shall be unlawful for any retail liquor licensee including club licensees to display in any manner whatsoever on the outside of his licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part a sign of any kind printed painted or electric advertising any brand of liquor or malt or brewed beverage and it shall be likewise unlawful for any manufacturer distributor or importing distributor to permit the display of any sign which advertises either his products or himself on any lot of ground on which such licensed premises are situate or on any building of which such licensed premises are a part

(10) [It shall be unlawful for any manufaceurer or licensee or his servants agents or employes to hereafter give furnish lease or sell or for any other licensee to hereafter lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trale name of any particular liquor or malt or brewed beverages or the manufacturer producer or place of manufacture or production of any liquor or malt or brewed beverages unless the actual value of such advertising device including all displays in connection therewith shall not exceed ten dollars ($10) It shall be unlawful for any licensee to display or permit to be displayed any window or exterior advertising except in accordance with the regulations of the board] It shall be unlawful for any retail liquor or retail malt or brewed beverages licensee to display or permit the display in the show window or doorways of his licensed premises any placard or sign advertising the brands of liquor or malt or brewed beverages produced by any one manufacturer if the total display area of any such placard or sign advertising the products of any one manufacturer exceeds three hundred square inches Nothing herein shall prohibit a licensee from displaying inside licensed premises point of sale displays advertising brand names of products sold by him other than a window or door display Provided That the total cost of all such point of sale advertising matter relating to products of any one manufacturer shall not exceed the sum of twenty dollars ($20) at any one time and no single piece of advertising shall exceed a cost of ten dollars ($10) All such advertising material including the window and door signs may be furnished by a manufacturer distributor or importing distributor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEONARD. Mr. Speaker, I just want to read a paragraph from a letter from the International Brotherhood of Electrical Workers No. 5 of Pittsburgh. The first paragraph is as follows:

> "Members of our organization, as well as all persons connected with the electrical industry,

are strongly opposed to the passage of Senate Bill No. 160."

In accordance with this information I am voting "no" on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. Leonard, Rosen and W. B. Smith.

The roll was verified and was as follows:

YEAS—129

Andrews,	George,	Lovett,	Sax,
Bane,	Gibson,	Madigan,	Scott,
Barkdoll,	Glembocki,	McCullough,	Shoemaker,
Baumunk,	Goodling,	McKinney,	Smith, C. O.,
Bednarek,	Graybill,	McMillen,	Snider,
Bloom,	Green,	Mikula,	Sollenberger,
Bomberger,	Greenwood,	Miller,	Spencer,
Bower,	Greer,	Milliken,	Stank,
Breisch,	Guarnieri,	Mills,	Stimmel,
Brice,	Guthrie,	Mintess,	Stuart,
Brown, W. E.,	Hall,	Moore, C. E.,	Swope,
Brunner,	Hamilton,	Moore, H. A.,	Tahl,
Cadwalader,	Harney,	Munley,	Thompson,
Clapper,	Harris,	Murray,	Tompkins,
Clendening,	Haudenshield,	Najaka,	Toomey,
Coleman,	Helm,	Neff,	Varner,
Cooper,	Herman,	O'Dare,	Wachhaus,
Costa,	Hewitt,	O'Donnell,	Wagner,
DeLong,	Hocker,	Orban,	Waterhouse,
Dennison,	Hoffman,	Petrosky,	Watkins,
Depuy,	Jennings,	Posta,	Weidner,
Driscoll,	Jim,	Price, H. W., Jr.,	Weiss,
Elder,	Johnson,	Propert,	Wescott,
Erb,	Jump,	Readinger,	Westrick,
Evans,	Keller,	Reagan,	Wheeler,
Felton,	Kemp,	Reilly, J. M.,	Wood,
Ferster,	Kent,	Riley, R. L.,	Yaffe,
Firmstone,	Kline,	Robbins,	Yeakel,
Flack,	Kohl,	Robertson,	Yetzer,
Fleming,	Kratz,	Rose,	Ziegler,
Fox,	Kurtz,	Rovansek,	Sorg,
Frost,	Leisey,	Royer,	Speaker
Gallagher,	Loftus,		

NAYS—62

Amarando,	Hagerty,	Monroe,	Reynolds,
Boles,	Heatherington,	Moran,	Rosen,
Brandon,	Hunter,	Musto,	Sarraf,
Breth,	Jenkins,	Nagel,	Schmidt,
Brown, H. S.,	Jones, G. E.,	Needham,	Seyler,
Bucchin,	Jones, J. M.,	Nixon,	Smith, W. B.,
Cole,	Kamyk,	Olsen,	Sternberg,
Conway,	Kirley,	Penglase,	Taylor,
Dalrymple,	Kolankiewicz,	Pentrack,	Verona,
Dougherty,	Kondrath,	Peta,	Wargo,
Duffy,	Lederer,	Pfaff,	Welsh,
Dye,	Leonard,	Polen,	Williams,
Filo,	Limper,	Powers,	Worley,
Floyd,	McGee,	Price, R. A.,	Yester,
Gaffney,	McNally,	Reidenbach,	Young,
Good,	Mihm,		

NOT VOTING—17

Altshuler,	Ewing,	Krise,	Reese,
Beaver,	Frank	Lee,	Scanlon,
Blair,	Hersch,	McCormack,	Schuster,
Boorse,	Hoggard,	Pettigrew,	Varallo,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 200, as follows:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The judges of the courts of common pleas of each county of the first class with the sheriff thereof shall constitute a board to be known as the "Jury Selection Board" and hereinafter referred to as the board Said board shall superintend and manage the drawing and selection of jurors to serve in the courts of said counties Any of said judges with the sheriff or his duly authorized deputy shall be a quorum of said board for the transaction of business The board shall appoint a clerk the salaries and expenses of whom shall be fixed by the said judges and paid by the said county

Section 2 (a) Prior to the thirty-first day of January in each and every year the registration commission of each of said counties shall lodge with the sheriff of the county for the use of the said board a duly certified list of all the registered electors setting out their names places of residence and occupation and prior to the first day of April thereafter in each and every year it shall be the duty of the said board or a quorum thereof to assemble together and to select from the said list a sufficient number of persons to be fixed by the board to constitute the several panels of jurors grand and petit that may be required for service in the courts for the next ensuing year

(b) After a selection is made the board by its members or by masters not to exceed four (4) in number to be appointed by the judges of the courts of common pleas of said county the salaries and expenses of whom together with the necessary clerical assistants shall be fixed by the said judges and be paid by said county shall make inquiries by questionnaires personal interview or otherwise touching the qualifications for jury service of each of the persons selected and for this purpose the board is empowered to summon any person selected by subpoena and members of the board and the masters shall have power to examine such person under oath in relation to the qualifications of such person for jury service saving the privilege as a witness of the person examined A false answer to a pertinent question shall be perjury punishable by not more than one year's imprisonment in the county prison or a fine of not more than one hundred dollars ($100)

(c) When a sufficient number of names is selected of registered electors who can read write speak and understand the English language who are physically and mentally capable of rendering efficient jury service and who are of good character and have never been convicted of any crime involving moral turpitude notice by mail shall be given to each person selected of his selection with the request that he inform the board within ten days which of the four quarters of the year will be most convenient to him for jury service No person shall be excluded from jury service on account of race color or creed

(d) There shall be four jury wheels From the first jurors for service during the first quarter of the year shall be drawn from the second jurors for service during the second quarter from the third jurors for service during the third quarter and from the fourth jurors for service during the fourth quarter

(e) The names of the persons finally chosen for jury service shall be deposited in approximately equal proportion in the four wheels The board shall respect the wishes of those chosen and deposit their names in the wheel for the quarter most convenient to the jurors so far as it is possible to do so without interfering with the reasonable proportionate numbers in each wheel

Section 3 The names of registered electors so chosen with their respective places of residence and occupation shall be written on separate pieces or slips of paper which

shall then in the presence of the said board be placed in reasonably proportionate numbers in four closed wheels to be provided by and kept in the exclusive custody of the said sheriff securely locked sealed or otherwise guarded from intrusion A list of the names residences and occupations so chosen and placed in the said wheels shall be certified by the members of the said board then present to the prothonotary of the court of common pleas to be duly filed by him for preservation and public inspection and one other such list shall be made out and kept in the custody of the said board

Section 4 At least four (4) weeks before the commencement of each and every term of any of the said courts the said board or a quorum thereof shall assemble and cause to be drawn from the wheel for the current quarter as many of the names of the required electors therein deposited as may be necessary to serve as grand and petit jurors for each of the said courts according to the command of the venire or venires directed to the said sheriff one list of which names residences and occupations so drawn shall be duly certified by the said board to the proper court with the venire issued therefrom and one other list of said names occupations and residences shall be duly certified to the said sheriff

Section 5 Whenever the board after there shall have been selected from the list of registered electors the number of person deemed sufficient to constitute the several panels shall be of the opinion that additional persons are required for service as jurors in the said courts during any quarter of the year it shall select from said list the names of such additional number of persons as may be required Thereafter the mode of selecting and drawing jurors from such names shall be as prescribed in sections two three and four hereof except that the names of the persons finally chosen by the board shall be deposited in the particular wheel or wheels for the quarter or quarters of the year requiring such additional jurors

Section 6 It shall be the duty of the said sheriff to summon each of the said jurors in the manner now practiced to appear in the court for which he may be drawn on a day specified in the summons to serve as a juror during the ensuing term and said summons shall be served on each juror at least ten days before the time fixed for his appearance of which said several services the said sheriff shall make return to the proper court under oath stating the time and manner of such service

Section 7 No one so summoned as a juror shall be excused from service except in open court on good cause shown to the satisfaction of the court and if any juror so summoned and not excused shall fail to attend the said court until duly discharged he shall be fined for the use of the said county not less than twenty-five dollars ($25) nor more than two hundred dollars ($200) to be recovered by attachment or such other appropriate process as the said court may direct

Section 8 Whenever talesmen are required in any of the said courts the said sheriff shall produce the wheel for the current quarter in open court and in the presence of one of the judges thereof draw therefrom five names for every talesman required which names so drawn shall be immediately noted on the minutes of the court whereupon a venire shall be issued requiring the said sheriff to bring into court any one of the said five persons so drawn to serve as a tales juror no tales juror shall be selected or served in any other manner the tickets or slips so drawn from the said wheel shall be returned thereto

Section 9 No citizen whose name has been duly drawn and who has served as a juryman for one full term shall be compelled to serve as a juror for the succeeding period of three years

The names of jurors who are drawn for service and excused for reasons touching their own convenience shall be put in the wheel for the succeeding quarter

Section 10 Any of the duties enjoined on the said sheriff by this act may be performed by his duly appointed deputy

Section 11 Any person who shall introduce into or withdraw from any of the said wheels any name in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo imprisonment for not more than six (6) months

Section 12 The act approved the twentieth day of April one thousand eight hundred and fifty-eight (P. L. 354) entitled "An act Establishing a mode of Selecting and Drawing Jurors in and for the city of Philadelphia" and all other acts and parts of acts inconsistent herewith are hereby repealed

Section 13 This act shall become effective on the first day of January one thousand nine hundred and fifty provided however that the provisions hereof shall not apply to the selection of jurors for service during the year one thousand nine hundred and fifty

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yeater,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank	Leonard,	Robbins,	Zorg,
	Limper.	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for concumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by providing the quantity of malt or brewed beverages to be sold by any manufacturer distributor importing distributor or retail dispenser further regulating advertisements allowed on and about licensed premises

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (d) (e) of section two of the act approved the third day of May one thousand nine hundred therity-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 480) is hereby further amended to read as follows

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

* * * * *

(d) The term "distributor" means and includes persons licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the resale of malt or brewed beverages except to importing distributors and distributors in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more

(e) The term "importing distributor" means and includes persons licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers and importing distributors under this act and the resale of malt or brewed beverages in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid onces or more

Section 2 Sections five twenty twenty-one and twenty-two and clauses (VII) and (VIII) of section twenty-three of said act as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) are hereby further amended to read as follows

Section 5 Manufacturers' Distributors' and Importing Distributors' Licenses (a) It shall be unlawful for any person to manufacture malt or brewed beverages unless such person holds a valid manufacturer's license issued by the board The board shall issue to any person a resident of this Commonwealth of good repute who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a manufacturer's license to produce and manufacture malt or brewed beverages and to transport sell and deliver malt or brewed beverages at or from one or more places of manufacture or storage only in original containers in quantities of not less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more anywhere within the Commonwealth Each individual applicant for manufacturer's license and in the case of partnerships and associations each member thereof shall be a citizen of the United States and have been residents of this Commonwealth at least two years prior to the date of their respective applications In the case of corporations organized or registered under the laws of this Commonwealth it must appear that all of the officers and directors and the owners of at least fifty-one per centum of the capital stock of the corporation are citizens of the United States and have for a period of at least two years prior to the date of application been residents of this Commonwealth Licenses for places of storage shall be limited to those maintained by manufacturers on July 18 1935 and thereafter the board shall issue no licenses for places of storage in addition to those maintained on July 18 1935 The application for such license shall be in such form and contain such information as the board shall require All such licenses shall be granted for the calendar year Every manufacturer shall keep at his or its principal place of business within the Commonwealth daily permanent records which shall show (a) the quantities of raw materials received and used in the manufacture of malt or brewed beverages and the quantities of malt or brewed beverages manufactured and stored (b) the sales of malt or brewed beverages (c) the quantities of malt or brew beverages stored for hire or transported for hire by or for the licensee and (d) the names and addresses of the purchasers or other recipients thereof Every place licensed as a manufacturer shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board or (b) for the purpose of ascertaining the correctness of the records required to be kept by licensee The books and records of such licensees shall at all times be open to inspection by members of the board or by persons duly authorized and designated by the board Members of the board and its duly authorized agents shall have the right without hindrance to enter any place which is subject to inspection hereunder or any place where such records are kept for the purpose of making such inspections and making transcripts thereof

(b) The board shall issue to any reputable person who applies therefor pays the license fee hereinafter pre-

scribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages not for consumption on the premises where sold and in quantities of not less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more and in original containers as prepared for the market by the manufacturer at the place of manufacture Such licenses shall be issued only to reputable individuals partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corwho are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities of not less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been purchased only from persons licensed under this act as manufacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this act

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any malt or brewed beverages for consumption on the premises where sold nor sell or deliver any such malt or brewed beverages in other than original containers approved as to capacity by the board nor in quantities of less than [two hundred and eighty-eight (288) fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken.

Section 21 Sales by Distributors and Importing Distributors No distributor or importing distributor shall purchase receive or resell any malt or brewed beverages except in the original containers as prepared for the market by the manufacturer at the place of manufacture No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than [two hundred eighty-eight fluid ounces] a case of twenty-four bottles each of said bottles containing seven fluid ounces or more or a case of twelve bottles each of said bottles containing twenty-four fluid ounces or more Provided That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor or in any place provided for such purpose by such distributor or importing distributor

Section 22 Sales by Retail Dispensers (a) No retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer at the place of manufacture The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in excess of [seventy-two] one hundred forty-four fluid ounces And provided further That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club

No retail dispenser shall sell any malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a retail dispenser from selling malt or brewed beverages in a hotel or club house in any room of such hotel or club house occupied by a bona fide registered guest or member entitled to purchase the same

(b) The board may with the approval of the Governor temporarily close all licensed premises within any municipality or township during any period of emergency proclaimed to be such by the Governor

Section 23 Unlawful Act It shall be unlawful

* * * * *

(VII) [For any manufacturer importing distributor or distributor his servants agents or employes to hereafter give furnish lease or sell or for any license or his servants agents or employes except a manufacturer on his own premises to hereafter lease purchase or receive for display or to display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatsoever relating to malt or brewed beverages unless the actual value of such advertisement shall be not more than twenty-five dollars ($25.00) No sign or advertisement furnished leased or sold by any manufacturer importing distributor or distributor shall contain anything except the trade name trademark or place of manufacture of the malt or brewed beverage manufactured or sold by him] For any retail dispenser including club licensees distributor or importing distributor to display in any manner whatsoever on the outside of his licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part a sign of any kind printed painted or electric advertising any brand of malt or brewed beverage and it shall be likewise unlawful for any manufacturer distributor or importing distributor to permit the display of any sign which advertises either his product or himself on any lot of ground on which licensed premises other than his own are situate or on any building of which licensed premises other than his own are a part

(VIII) [For any manufacturer importing distributor or distributor his servants agents or employes to hereafter give furnish lease or sell or for any other licensee or his servants agents or employes to hereafter lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trade name of any particular malt or brewed beverage or the manufacturer producer or place of manufacture or production of any malt or brewed beverage unless the actual value of such advertising device including all displays in connection therewith shall not exceed ten dollars ($10) It shall be unlawful for any licensee to display or permit to be displayed any window advertising except in accordance with the regulations of the board] For any retail dispenser to display or permit the display in the show window or doorways of his licensed premises any placard or sign advertising the brands of malt or brewed beverages produced by any one manufacturer if the total display area of any such placard or sign advertising the products of any one manufacturer exceeds three hundred square inches Nothing herein shall prohibit a retail dispenser from displaying inside his licensed premises point of sale displays advertising brand names of products sold by him other

than a window or door display Provided That the total cost of all such point of sale advertising matter relating to products of any one manufacturer shall not exceed the sum of twenty dollars ($20) at any one time and that the total cost of any one piece of advertising material shall not exceed ten dollars ($10) All such advertising material including the window and door signs may be furnished by a manufacturer distributor or importing distributor

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—123

Andrews,	Gallagher,	Leisey,	Sax,
Bane,	George,	Loftus,	Scott,
Barkdoll,	Gibson,	Lovett,	Shoemaker,
Baumunk,	Glembocki,	Madigan,	Smith, C. C.,
Bednarek,	Goodling,	McCullough,	Snider,
Bloom,	Graybill,	McKinney,	Sollenberger,
Bomberger,	Green,	McMillen,	Spencer,
Bower,	Greenwood,	Mikula,	Stank,
Brandon,	Greer,	Miller,	Stimmel,
Breisch,	Guarnieri,	Milliken,	Stuart,
Brice,	Guthrie,	Mills,	Swope,
Brown, W. E.,	Hall,	Mintess,	Tahl,
Brunner,	Hamilton,	Moore, C. E.,	Thompson,
Clapper,	Harney,	Moore, H. A.,	Tompkins,
Clendening,	Haudenshield,	Murray,	Toomey,
Coleman,	Helm,	Najaka,	Varner,
Cooper,	Herman,	Neff,	Wachhaus,
Costa,	Hewitt,	O'Dare,	Waterhouse,
Dalrymple,	Hocker,	O'Donnell,	Watkins,
DeLong,	Hoffman,	Orban,	Weidner,
Dennison,	Jennings,	Petrosky,	Weiss,
Depuy,	Jim,	Posta,	Wescott,
Driscoll,	Johnson,	Price, R. A.,	Westrick,
Elder,	Jump,	Propert,	Wheeler,
Erb,	Keller,	Readinger,	Williams,
Felton,	Kemp,	Reagan,	Wood,
Ferster,	Kent,	Reilly, J. M.,	Yaffe,
Firmstone,	Kline,	Riley, R. L.,	Yeakel,
Flack,	Kohl,	Robbins,	Yetzer,
Fleming,	Kratz,	Robertson,	Sorg,
Frost,	Kurtz,	Royer,	Speaker.

NAYS—65

Amarando,	Hagerty,	Monroe,	Rosen,
Beaver,	Harris,	Moran,	Rovansek,
Boles,	Heatherington,	Musto,	Sarraf,
Breth,	Hunter,	Nagel,	Schmidt,
Brown, H. S.,	Jenkins,	Needham,	Seyler,
Bucchin,	Jones, G. E.,	Nixon,	Smith, W. B.,
Cole,	Jones, J. M.,	Olsen,	Sternberg,
Conway,	Kamyk,	Penglase,	Taylor,
Dougherty,	Kirley,	Pentrack,	Verona,
Duffy,	Kolankiewicz,	Peta,	Wagner,
Dye,	Kondrath,	Pfaff,	Wargo,
Evans,	Lederer,	Polen,	Welsh,
Filo,	Leonard,	Price, H. W., Jr.,	Worley,
Floyd,	Limper,	Reidenbach,	Yester,
Fox,	McNally,	Reynolds,	Young,
Gaffney,	Mihm,	Rose,	Ziegler,
Good,			

NOT VOTING—20

Altshuler,	Ewing,	Lee,	Powers,
Blair,	Frank,	McCormack,	Reese,
Boorse,	Hersch,	McGee,	Scanlon,
Cadwalader,	Hoggard,	Munley,	Schuster,
Cochran,	Krise,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 437, as follows:

An Act to further amend clause one of section three and clause two of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause one of section three of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 521) is hereby further amended to read as follows

Section 3 A school employes' retirement association is hereby organized the membership of which shall consist of the following

1 All present employes including employes in the Pennsylvania Institution for the Instruction of the Blind Overbrook Philadelphia Pennsylvania the Western Pennsylvania Institution for the Blind Pittsburgh Pennsylvania the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia Pennsylvania and the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb Wilkinsburg Pennsylvania except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred and [forty-seven] fifty-one to be covered by the retirement system Provided That such employe shall at the time of making such application pay into the School Employes' Retirement Fund to the credit of the employes' annuity savings account as provided for in paragraph number six of section eight of this act an amount equal to what would have been at that date the contributions from the salary of such employe had the election to be covered by the retirement system been made prior to the first day of July nineteen hundred and nineteen

Section 2 Clause two of section twelve of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 521) is hereby further amended to read as follows

Section 12 * * * * *

2 Should an employe so separated from the school service return within five years and restore to the School Employes' Retirement Fund to the credit of the annuity savings account his or her accumulated deductions as they

were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored

Each employe who separated from school service at any time and shall have reutrned or shall return to school service prior to July first one thousand nine hundred and [forty-five after more than five years' absence] fifty-one shall at retirement for superannuation be entitled to have full credit for each year of service in the public schools of Pennsylvania Provided

(a) He or she shall have rendered not less than fifteen years of service in the public schools of Pennsylvania prior to the retirement and

(b) He or she shall have restored to the School Employes' Retirement Fund to the credit of the annuity savings account before the first day of July one thousand nine hundred fifty-one his or her accumulated deductions as they were at the time of his or her separation

Each employe who separates from school service after the first day of July one thousand nine hundred and thirty-eight and who returns to school service after a longer absence than five years shall have his or her annuity rights restored in accordance with the provisions of this paragraph provided he or she fulfills the conditions named in paragraph (a) of this clause and provided he or she shall have restored to the school employes' retirement fund to the credit of the annuity savings account within two years after such return to service his or her accumulated deductions as they were at the time of his or her seperation and in addition thereto shall have left with the retirement board at least twenty per centum of his or her accumulated deductions at the time of his or her separation and shall return to service prior to the age of sixty years

Notwithstanding any other provisions of this act any employe who shall have rendered service in the public schools of Pennsylvania prior to the first day of July one thousand nine hundred nineteen and has not been given credit for such service shall at retirement for superannuation be given full credit for each year of such prior service and shall receive for such prior service a further state annuity to be computed in the same manner as is herein provided for present employes

In no case shall an employe who has separated from school service and who later returned to school service after five or more years of absence be eligible to retirement on account of disability until he or she shall have rendered at least three years of service subsequent to such return

In any case the restoration of the accumulated deductions provided herein may be made by the payment of a lump sum or any actuarial equivalent approved by the retirement board

Subject to such rules and regulations as the retirement board may adopt the provisions of this act shall be applicable beginning July first one thousand nine hundred and twenty-five to all who are on the retired list of Pennsylvania public school employes at the time this bill becomes a law

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. O.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Sorg,
Brice,	Harney,	Moore, H. A.,	Spencer,
Brown, H. S.,	Harris,	Moran,	Stank,
Brown, W. E.,	Haudenshield,	Munley,	Sternberg,
Brunner,	Heatherington,	Murray,	Stimmel,
Bucchin,	Helm,	Musto,	Stuart,
Cadwalader,	Herman,	Nagel,	Swope,
Clapper,	Hersch,	Najaka,	Tahl,
Clendening,	Hewitt,	Needham,	Taylor,
Cochran,	Hocker,	Neff,	Thompson,
Cole,	Hoffman,	Nixon,	Tompkins,
Coleman,	Hoggard,	O'Dare,	Toomey,
Conway,	Hunter,	O'Donnell,	Varallo,
Cooper,	Jenkins,	Olsen,	Varner,
Costa,	Jennings,	Orban,	Verona,
Dalrymple,	Jim,	Penglase,	Wachhaus,
DeLong,	Johnson,	Pentrack,	Wagner,
Dennison,	Jones, G. E.,	Peta,	Wargo,
Depuy,	Jones, J. M.,	Petrosky,	Waterhouse,
Dougherty,	Jump,	Pettigrew,	Watkins
Driscoll,	Kamyk,	Pfaff,	Weidner,
Duffy,	Keller,	Polen,	Weiss,
Dye,	Kemp,	Posta,	Welsh,
Elder,	Kent,	Powers,	Wescott,
Erb,	Kirley,	Price, H. W., Jr.,	Westrick,
Evans,	Kline,	Price, R. A.,	Wheeler,
Felton,	Kohl,	Propert,	Williams,
Ferster,	Kolankiewicz,	Readinger,	Wood,
Filo,	Kondrath,	Reagan,	Worley,
Firmstone,	Kratz,	Reese,	Yaffe,
Flack,	Kurtz,	Reidenbach,	Yeakel,
Fleming,	Lederer,	Reilly, J. M.,	Yester,
Floyd,	Lee,	Reynolds,	Yetzer,
Fox,	Leisey,	Riley, R. L.,	Young,
Frank,	Leonard,	Robbins,	Ziegler,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the Public School Employes' Retirement System

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection four of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 407) and the act approved the third day of May one thousand nine hundred forty-five (P. L. 409) is hereby further amended to read as follows

Section 14 * * * * *

4 Any person sixty-two years of age or older who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than two whole school years or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than [twenty-five] fifty dollars [($25)] ($50) per month if such former teacher shall agree in writing and hold himself or herselff ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests In the case of a present employe or a new entrant who on the first day of September one thousand nine hundred forty-nine is in receipt of a disability retirement allowance as provided in section 13 or a superannuation retirement allowance as provided in this section in addition to the benefits provided in such sections there shall be provided a further State annuity which shall be equivalent to the amount if any by which such disability retirement allowance or superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars ($1200) where the contributor has forty years of credited service in this Commonwealth or such proportional amount of such one thousand two hundred dollars ($1200) as the years of such credited service bear to forty years In the event that a member is receiving a reduced superannuation retirement allowance because of having elected an option such additional State annuity if any shall be related to the amount of the full retirement allowance he would have received if no option had been elected and in the event that a member when entering upon a superannuation retirement allowance has elected an option providing for a survivor annuity and the member has later died and the survivor beneficiary is in receipt of a survivor annuity then the additional State annuity if any payable to such survivor beneficiary shall be such reduced amount as under the rules is related to the additional State annuity if any which would have been payable to the retired member if such option had not been elected The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system Any employe on retirement for superannuation who returns to active school service during the continuation of World War II shall not upon return to retirement for superannuation receive any smaller retirement allowance than that received prior to such return to active school service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boies,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 631, Printer's No. 245

was passed over at the request of Mr. BRUNNER.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House, a former Member from Cambria County, Honorable Albert L. O'Connor.

TIME EXTENDED ON BILL

Mr. NEFF asked and obtained unanimous consent to extend the time five days on House Bill No. 280, Printer's No. 324, on page 35 of today's calendar, bills on third reading postponed.

ANNOUNCEMENT

The SPEAKER. The Chair desires to remind the Members of the time of convening the session on Monday, 1:00 p.m.

The Chair is informed that the caucus of Republican majority on Monday will be held at twelve o'clock noon, and the session will begin at one o'clock.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, you have reminded me of the caucus. I should like to announce there will be a Democratic caucus at 12:00 o'clock, Monday.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, having inspected the majority caucus room, having found it commodious, with elegant rugs. chairs in orderly array, evidently visited every now and then by the cleaning people, and since there is a majority caucus and a minority caucus at twelve o'clock; and since this is a large room and since we are nearing the end of the session, and since there is a desire for peace and harmony, why not hold a joint caucus?

The SPEAKER. The Chair thinks well of the suggestion. We could all bring our lunch and have a picnic. There is plenty of room.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, as I stated some time ago, we are very pleased to welcome the minority group into our fold. We welcome them at any time.

The SPEAKER. The Chair welcomes the minority.

Mr. ANDREWS. Mr. Speaker, in response to the invitation, either Monday or Tuesday, I will ask permission to compare the records, to make brief allusions to the bills submitted by the minority that are still in committee, and compare them with almost identical bills submitted by the majority that are riding triumphantly upon the calendar.

The only reason I made a request for a joint caucus was that the majority could learn concerning our intentions on the spot instead of waiting until we had introduced the bills.

The SPEAKER. The Chairman does not think too well of the joint caucus.

For what purpose does the gentleman from Allegheny, Mr. Brown, rise?

Mr. BROWN. I want to agree with the Speaker. It is off to a bad start already.

Mr. BRUNNER. May I inform the gentleman, Mr. Speaker, that I still have great confidence in the Committee Chairman of this House.

RESOLUTION

CONDOLENCE

Messrs. HAUDENSHIELD, COOPER and THOMPSON offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 13, 1949.

Edwin C. Ewing has suffered the loss of his greatest treasure. His source of personal happiness was the love, understanding and companionship which he found in his wife, the former Gertrude Sherlock.

Although their two sons, Edwin Laird and Wayne Stewart Ewing, are both young men 20 and 22 years of age, they, nevertheless, will feel pangs of heartbreak, loneliness and longing that attend the death of a mother.

Mrs. Ewing was the daughter of H. B. Sherlock, who lives in Detroit, Michigan. She was one of four daughters. Her sisters, Mrs. Floyd Cooley of Pittsburgh, Mrs. Westley T. King of Miami, Florida, and Mrs. Georgia Nichols of Detroit, Michigan, are living.

When Mrs. Ewing first came to the Pittsburgh area, she lived at Coraopolis with her aunt and uncle, Mr. and Mrs. W. C. Weiner. She also spent much time with another favorite uncle, J. R. Boyd, who lives on a farm near Richmond, Ohio. She became a charter member of the Coraopolis Century Club at that time.

For the past twelve years she has lived with her family in Mount Lebanon, Pittsburgh, where she was a member of the Mount Lebanon Presbyterian Church.

On April 12th Mrs. Ewing was stricken with a heart attack, and died in her sleep.

The great emptiness and sorrow in the lives of those who loved her can never be calculated nor measured but it can be appreciated by all who love; therefore be it

Resolved, That the Members of the House of Representatives extend their condolence and sincere sympathy to Edwin C. Ewing, his sons. and to all who experienced the privilege of knowing and loving Gertrude Sherlock Ewing; and be it further

Resolved, That a copy of this resolution be forwarded to the Honorable Edwin C. Ewing.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce for the information of the Members, particularly those of the Allegheny County delegation, that the funeral services of Mrs. Gertrude Ewing, wife of Representative Ewing of Allegheny County will be held on Friday, April 15 at 2:30 P. M. at the Laughlin Funeral Home, Washington Road, Mt. Lebanon. Interment will be at the Mt. Lebanon Cemetery.

RESOLUTION

CONGRATULATIONS

Mr. WATERHOUSE offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 13, 1949.

Among the "older" Members of the House of Representatives—older in point of service that is, for he is youthful in appearance, demeanor and ideas—is the Honorable John H. McKinney of Venango County.

Today he celebrates his birthday. He was born on April 13, 1887, in the county which he now represents as an assemblyman.

Mr. McKinney holds the degrees of A.M. and L.L.B. from Allegheny College and Dickinson Law School, respectively. He is married to the former Helen I. Humes and is proud of his quintet of sons. He is a member of the Venango County Bar and is interested in the oil production business. He served in World War I and is now a member of the American Legion.

Our respected colleague was first a member of this body in 1917 and has served continuously since 1933. He has for a number of sessions served faithfully and well as Chairman of the Committee on Judiciary General and more recently of the consolidated Committee on Judiciary; therefore, be it

Resolved, That the Members of the House of Represntatives hereby congratulate Mr. McKinney on his distinguished career and especially on the occasion of his attaining another milestone on the road of life, and wish him continued health, prosperity and further honors in public life.

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. McKinney.

Mr. McKINNEY. Mr. Speaker, I am deeply appreciative of this resolution. I am sorry that it designates my age because I do not feel nearly as old as the resolution would say.

I am only sorry that you could not have all been with me when my Committee met in my committee room and the Members congratulated me, and furnished me with a nice big cake covered with roses. I thank you.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. ROSE asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 288.

An Act to further amend subsection (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 4, line 4, by striking out after the word "or" the word "confiscation" and inserting in lieu thereof the word "subpoena."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hofman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Celrk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 291.

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 3, line 11 by inserting after the word "where" the word "either"

Amend Section 4, page 3, line 12 by inserting after the word "oil" the words "or the entire load of light fuel oil in one compartment of the truck tank."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,
Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1068.

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school buildings or athletic fields for charitable purposes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, by striking out all of page 1, and line 1 of page 2, and inserting in lieu thereof the following: "to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto"

Amend Section 1, page 2, line 1, by striking out after the word "section" where it appears the second time on the line, the remainder of line 1, and all of lines 2, 3, 4, 5, 6, 7, on page 3, lines 1, 2, 3 and 4, and inserting in lieu thereof the following: "Seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows."

Page 3, line 13, by striking out after the word "section" the figures "627" and inserting in lieu thereof the figures and words "775 use of school building for other purposes arrangements with city borough or township"; page 3, line 18, by striking out after the word "adopt" the word "and" and inserting in lieu thereof the words "the board"; page 4, line 12, by inserting after the word "and" the words "except in districts of the first class."

Page 5, inserting after line 3, the following: "Section 2 The provisions of this act as well as the provisions of the section amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Altshuler,	Frost,	Loftus,	Rose,
Amarando,	Gaffney,	Lovett,	Rosen,
Andrews,	Gallagher,	Madigan,	Rovansek,
Bane,	George,	McCormack,	Royer,
Barkdoll,	Gibson,	McCullough,	Sarraf,
Baumunk,	Glembocki,	McGee,	Sax,
Beaver,	Good,	McKinney,	Scanlon,
Bednarek,	Goodling,	McMillen,	Schmidt,
Blair,	Graybill,	McNally,	Schuster,
Bloom,	Green,	Mihm,	Scott,
Boles,	Greenwood,	Mikula,	Seyler,
Bomberger,	Greer,	Miller,	Shoemaker,
Boorse,	Guarnieri,	Milliken,	Smith, C. C.,
Bower,	Guthrie,	Mills,	Smith, W. B.,
Brandon,	Hagerty,	Mintess,	Snider,
Breisch,	Hall,	Monroe,	Sollenberger,
Breth,	Hamilton,	Moore, C. E.,	Spencer,
Brice,	Harney,	Moore, H. A.,	Stank,
Brown, H. S.,	Harris,	Moran,	Sternberg,
Brown, W. E.,	Haudenshield,	Munley,	Stimmel,
Brunner,	Heatherington,	Murray,	Stuart,

Bucchin,	Helm,	Musto,	Swope,
Cadwalader,	Herman,	Nagel,	Tahl,
Clapper,	Hersch,	Najaka,	Taylor,
Clendening,	Hewitt,	Needham,	Thompson,
Cochran,	Hocker,	Neff,	Tompkins,
Cole,	Hoffman,	Nixon,	Toomey,
Coleman,	Hoggard,	O'Dare,	Varallo,
Conway,	Hunter,	O'Donnell,	Varner,
Cooper,	Jenkins,	Olsen,	Verona,
Costa,	Jennings,	Orban,	Wachhaus,
Dalrymple,	Jim,	Penglase,	Wagner,
DeLong,	Johnson,	Pentrack,	Wargo,
Dennison,	Jones, G. E.,	Peta,	Waterhouse,
Depuy,	Jones, J. M.,	Petrosky,	Watkins,
Dougherty,	Jump,	Pettigrew,	Weidner,
Driscoll,	Kamyk,	Pfaff,	Weiss,
Duffy,	Keller,	Polen,	Welsh,
Dye,	Kemp,	Posta,	Wescott,
Elder,	Kent,	Powers,	Westrick,
Erb,	Kirley,	Price, H. W., Jr.,	Wheeler,
Evans,	Kline,	Price, R. A.,	Williams,
Felton,	Kohl,	Propert,	Wood,
Ferster,	Kolankiewicz,	Readinger,	Worley,
Filo,	Kondrath,	Reagan,	Yaffe,
Firmstone,	Kratz,	Reese,	Yeakel,
Flack,	Kurtz,	Reidenbach,	Yester,
Fleming,	Lederer,	Reilly, J. M.,	Yetzer,
Floyd,	Lee,	Reynolds,	Young,
Fox,	Leisey,	Riley, R. L.,	Ziegler,
Frank,	Leonard,	Robbins,	Sorg,
	Limper,	Robertson,	Speaker

NAYS—0

NOT VOTING—2

Ewing, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 288.

An Act to further amend subsections (3) and (4) of section three and section seven of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further defining the powers of weighmasters and the inspectors of weights and measures

HOUSE BILL No. 291.

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

HOUSE BILL No. 1068.

An Act to amend section seven hundred seventy-five of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the leasing of school buildings or athletic fields for charitable purposes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. NEFF from the Committee on Military Affairs, reported as amended, House Bill No. 238, entitled:

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution," by including Catholic War Veterans Inc., among the veterans' organizations entitled to the printing of convention reports.

Mr. NEFF from the Committee on Military Affairs, reported as amended, House Bill No. 239, entitled:

An Act to further amend section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by including Catholic War Veterans, Inc., among the organizations exempt from payment of registration fees of vehicles used by such organization.

Mr. HERMAN from the Committee on Counties, reported as amended, House Bill No. 285, entitled:

An Act to further amend sections one and eight of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement sysetm in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," further regulating such retirement systems.

Mr. ERB from the Committee on Military Affairs, reported as committed, Senate Bill No. 54, entitled:

An Act to further amend sections four hundred twenty-two, four hundred twenty-three and four hundred twenty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

Mr. TAHL from the Committee on City and County—First Class, reported as committed, Senate Bill No. 751, entitled:

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

Mr. PFAFF from the Committee on City and County—First Class, reported as committed, Senate Bill No. 752, entitled:

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file of record and the replacement and certification of originals previously filed and of record by officers of counties of the first class and of cities of the first class by photostatic photographic micro-photographic microfilm or other mechanical process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced.

BILLS ON FIRST READING

Pursuant to the resolution adopted March 28, 1949, the following bills were read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend sections four hundred twenty-two four hundred twenty-three and four hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 751, entitled:

An Act authorizing officers of counties of the first class and of cities of the first class in certain cases to destroy and dispose of records or other papers deemed valueless subject to approval by the courts and of the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act authorizing the recording copying and recopying of documents plats papers written instruments records and books on file of record and the replacement and certification of originals previously filed and of record by officers of counties of the first class and of cities of the first class by photostatic photographic micro-photographic microfilm or other mechanical process relating to the effect and use of such copies records reproductions replacements and transcripts or certified copies thereof and providing for revision of and entries to be made on originals and copies so produced or replaced.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 410.

An Act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, stenographers, office space, materials and other equipment for the use of the county superintendent of schools.

Rferred to the Committee on Counties.

SENATE BILL No. 430.

An Act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges

Referred to the Committee on Insurance.

SENATE BILL No. 490.

An Act to provide for the prompt peaceful and just settlement of labor disputes between employers engaged in the public utility transportation subject to the jurisdiction of the Commonwealth and the Public Utility Commission and their employes which threaten to cause an interruption of such transportation facilities prescribing procedure for the adjustment and settlement of such disputes by collective bargaining and the intervention of a conciliator prohibiting for a certain period of time but preserving the right to strike stop work or lockout and conferring jurisdiction upon the courts of common pleas to enforce compliance with the provisions of the act.

Referred to the Committee on Labor Relations.

SENATE BILL No. 616.

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and the Pennsylvania Soldiers' Orphans School to withdraw from the Retirement System and receive reimbursement for moneys paid in.

Referred to the Committee on State Government.

SENATE BILL No. 617.

An Act to further amend clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement Board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing

powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that certain employes of the Department of Public Instruction State Teachers Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the deaf and Pennsylvania Soldiers' Orphan School who are not members of or who may withdraw from the public school employes' retirement association may become members of the State Employes' Retirement Association and receive credit for their service.

Referred to the Committee on State Government.

SENATE BILL No. 619.

An Act to further amend section eleven of the act, approved the seventeenth day of February one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the advertisement of statements of moneys to the credit of the various funds in the State Treasury.

Referred to the Committee on State Government.

SENATE BILL No. 720.

An Act requiring certain associations furnishing telephone service only to their stockholders or members on a non-profit basis to secure certificates of public convenience from the Pennsylvania Public Utility Commission to commence to engage in furnishing telephone service or to extend telephone service into areas not being served; and providing for judicial review of orders of the Commission relating to such certificates; and providing penalties.

Referred to the Committee on Public Utilities.

SENATE BILL No. 756.

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain exceptions to the prohibition against possessing in or on vehicles and conveyances loaded firearms and loose ammunition.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 810.

An Act to further amend section six hundred nineteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making municipalities jointly liable for negligence of their employes driving animal-drawn vehicles.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. KOHL. RESOLUTION No. 55.

In the House of Representatives, April 13, 1949.

Whereas, On many occasions during the past few years, the non-legal PIAA has been placed under fire by various groups interested in high school athletics, among them legislators, member and non-member high school authorities, and sports-minded citizens and fans in general because of the high-handed monopolistic methods it uses to further its main purpose—the exaction of large sums of money from public school athletics; and

Whereas, The least such a private organization operating without color of law could do in return for its ample financial rewards is to set up and operate a system of deciding disputed questions which arise from time to time among member and play-off teams in a fair, efficient and impartial manner as is done wherever sports are conducted on the up-and-up, e.g. The Olympic Games; and

Whereas, Much of the criticism that this group has deservedly received is due to the fact that it refuses to decide such questions promptly, fairly, impartially or efficiently if at all. And it may well be asked whether the PIAA—which takes jurisdiction over the appointment of officials who are responsible for the origin of many of such disputes—is taking the position that its appointees cannot be wrong and that if they are, it will prevent the public from ever knowing about it simply by refusing to provide simple complaint and hearing procedure—basis enough for the criticism that the PIAA is unprincipled and callous toward the athletes and sportsmen who keep it alive; and

Whereas, The recent example of the usual conduct of the PIAA is the disputed Class B High School Basketball State Championship involving Kane and Ashley High Schools. There is an honest dispute as to whether Kane actually won or whether the game was over when it scored its two-point margin. Evidence of the fact is ready to be presented by the participating schools—if they can get a hearing. Has the PIAA granted such hearing? Yes—seven weeks after the game—on May 27th, practically the end of "baseball" season—when nobody will be interested; and

Whereas, Such a method of providing for the determination of championships and other disputes is anything but democratic and fair play in the manner in which Americans are used to having their sports events decided—and the way they teach their youth. The American way is to determine the winner of an athletic contest at once and to resolve protests and disputes on the sport or immediately afterward so that the winner may receive the plaudits of the crowd; now therefore be it

Resolved, That this House of Representatives hereby condemns the PIAA for its many arbitrary and capricious methods of settling disputes and the way it usually avoids giving a hearing and in particular the manner it proposes to delay the hearing in the Kane-Ashley State Class B High School Basketball Championship; and be it further

Resolved, That this House hereby protest such PIAA action and demands that it grant a prompt hearing to the schools involved in such dispute so that the State Cham-

pion may be known now; or by inaction admit that it is high-handed, arbitrary, dictatorial and nothing but a sham and a fraud designed to make easy money from a gullible public for its "back-room" promoters; and be it further

Resolved, That copies of this resolution be sent to the school authorities of the Ashley and Kane High Schools and to the Executive Secretary of the PIAA, Edmund Wicht of Harrisburg, Pennsylvania.

Referred to the Committee on Rules.

By Mr. VARNER. (Concurrent) RESOLUTION No. 56.

In the House of Representatives, April 13, 1949.

Whereas, The Clarion River watershed has been polluted by industries and municipalities on its banks for many years and has been ruined by this pollution, and

Whereas, The Clarion River watershed furnishes the population area of Western Pennsylvania with its water supply and affords it a recreational area, and

Whereas, The Clarion River watershed has had a modified pollution abatement program during the past several years, but due to the shortage of materials caused by World War II and the postwar years, this program has been curtailed and much work remains to be done, and

Whereas, Many interested private citizens and groups thereof, are interested in the Clarion River from a health as well as a recreational standpoint; now therefore be it

Resolved, (if the Senate concur) That the Joint State Government Commission is hereby directed to investigate and study pollution and the pollution abatement program in the Clarion River watershed area, and in so doing to cooperate closely with the Sanitary Water Board and to report its findings and recommendations to the next regular session of the General Assembly; and be it further

Resolved, That the commission shall have the power to meet and hold hearings, both in Harrisburg and at some place in the Clarion County watershed area and to issue subpoenas under the hand and seal of its chairman commanding any proper person to appear before it and to answer questions touching on matters with respect to such investigation, for and on behalf of the General Assembly and to procure such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any proper person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before it.

Referred to the Committee on Rules.

By Mr. JENNINGS. RESOLUTION No. 57.

In the House of Representatives, April 13, 1949.

Whereas, The Commonwealth of Pennsylvania has recognized the laurel as the official state flower; and

Whereas, The said laurel is known to grow in great profusion and beauty amidst the unsurpassed scenic mountains of the said Tioga County; and

Whereas, The said Tioga County is also the location of one of the major scenic spectacles of the State, namely Pine Creek Gorge, more popularly known as Pennsylvania's Grand Canyon; and

Whereas, The Borough of Wellsboro, County seat of Tioga County, has for many years been cognizant of the pleasure and joy the traveling public finds in the seasonal bloom of the laurel and the continuous charm of the scenery and has shown every desire to share this wealth of nature; and

Whereas, In expression of this generosity has each year since 1938 (interrupted only by war), honored the State Flower, the Mountain Laurel, and the young womanhood of the Commonwealth by staging a State Laurel Festival, and under the eyes of the State officials crowned a young lady as State Laurel Queen, to introduce the blooming season of the laurel in Pennsylvania; and

Whereas, The said festivals have been conducted in such a manner as to be a credit and a pride to both the community and the Commonwealth; and

Whereas, The said festivals have been conducted at a great cost entirely born by the community of Wellsboro, but resulting in benefits to the entire Commonwealth; and

Whereas, The young ladies competing for the title of State Laurel Queen are residents of Pennsylvania, of High School age and of outstanding personality, charm and intelligence; therefore be it

Resolved, That the House of Representatives recognize and commend the civic enterprise of the community of Wellsboro, Tioga County, Pennsylvania, and hereby constitute the said annual laurel festival as the official State Laurel Festival of the Commonwealth of Pennsylvania and further constitute the queen of the laurel, crowned each year at said annual festival, as the official State Laurel Queen; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall send a copy of this resolution to Mayor Manford Hart, of Wellsboro.

Referred to the Committee on Rules.

By Messrs. ROSE, SAX and BRUNNER.
(Concurrent) RESOLUTION No. 58.

In the House of Representatives, April 13, 1949.

Unique among the deeds of those who have freely and wholeheartedly contributed their time and talent to the fulfillment of worthy causes was that witnessed by the world of television last Saturday when the popular and well-known television and radio entertainer and comedian, Milton Berle, devoted himself for sixteen continuous hours on the television network in raising in excess of $1,000,000 for the Damon Runyan Memorial Fund, which fund it devoted to the cause of fighting the dread disease of cancer.

While the real satisfaction and joy Mr. Berle derives and will derive from such an arduous and courageous contribution will not and cannot be expressed in acts or words, it, nevertheless, behooves the Members of the House of Representatives, as the representatives of the people of the Commonwealth, to extend to him their heartfelt expression of gratitude; therefore, be it

Resolved, That the Members of the House of Representatives of the Commonwealth of Pennsylvania extend to Mr. Milton Berle their sincerest expression of appreciation and gratitude for his magnificient contribution to the cause of the Damon Runyon Memorial Fund in raising money to fight cancer; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to transmit a copy of this Resolution to Mr. Berle.

Referred to the Committee on Rules.

By Messrs. NIXON, SARRAF and YESTER.
RESOLUTION No. 59.

In the House of Representatives, April 13, 1949.

Even though it has been more than a year since Dr. John Sutherland passed away, it is difficult to believe that he is not alive today. That is because the immortal "Jock" created a spirit, in football, in all sports, that can never die. One of the greatest players, and one of the greatest coaches, in football's hall of fame, "Jock" Sutherland is also a symbol of clean living and fair play. He was considered to be a master tactician, and hard worker, capable of inspiring a "do or die" spirit among his players. Yet he was also known as a most generous foe, who would shun any advantage not acquired in the best tradition of sportsmanship.

Dr. Sutherland gained his first fame as a player for the University of Pittsburgh. He later became its greatest coach, and gave the "Pitts" its tradition in football.

His closing days, after a period in the service of his country, was with the Pittsburgh "Steelers." His mastery of the game of football made the Steelers a team, feared

by teams with double the weight and force of the "Steelers."

The sadness which suddenly enveloped the sports loving people of America a year ago with the first report of Dr. Sutherland's illness, was turned to abject despair when the news came from West Penn Hospital in Pittsburgh, that the living symbol of football was no more. But that was a year ago. Today we can attest that Dr. Sutherland is still with us, and we know now that he will always be with us; therefore be it

Resolved, That the members of the House of Representatives pause a moment to pay tribute to "Jock" Sutherland, and take cognizance of the memorial he created for himself, a name synonymous with sportsmanship.

Referred to the Committee on Rules.

By Mr. DENNISON (Concurrent) RESOLUTION No. 60.

In the House of Representatives, April 13, 1949.

Whereas, There is a great deal of legislation on the statute books relating to preference to war veterans in qualifying for, securing, and holding positions in the State government and in the governments of political subdivisions; and

Whereas, Such legislation may be prima facie desirable as to each particular statutee but on the other hand there is a possibility that the over-all result may be to make it practically impossible for any non-veteran however well qualified to obtain any of such governmental positions or advancement therein thus depriving the various governments of many able personnel; now therefore be it

Resolved, (if the Senate concur) That the Joint State Government Commission is hereby directed to study all the legislation relating to veterans' preference in governmental positions in this Commonwealth and to determine whether in particular instances or in the aggregate, such legislation unduly favors war veterans and as a practical matter keeps non-veterans from obtaining and securing such positions and advancements; and be it further

Resolved, That the Joint State Government Commission shall report to the next regular session of the General Assembly with the results of its findings and its recommendations and necessary legislation embodying the same if it deems necessary.

Referred to the Committee on Rules.

By Mr. DENNISON. RESOLUTION No. 61.

In the House of Representatives, April 13, 1949.

Whereas, The economy of the Commonwealth depends to a considerable extent on highway transportation, but the extent of such dependence has not been definitely ascertained, nor can it be without a careful and exhaustive survey; and

Whereas, The Public Roads Administration of the Federal Government is presently engaged in a study and survey of highway transportation on the national level, and its importance to the economy of the United States as a whole; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a study and survey of highway transportation in this Commonwealth in order to determine its relative importance to the welfare and prosperity of the State, with special reference to the effect of statutory restrictions on the use of motor vehicles upon such advanagtes as compared with the cost of highway construction and maintenance and the usefulness and safety of the highways; and be it further

Resolved, That the Commission shall make a detailed report of its findings and conclusions, to the General Assembly, not later than Feberuary 1, 1951, together with drafts of legislation, if any, proposed by it.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. HALL for himself for Monday's session.

ADJOURNMENT

Mr. NEEDHAM. Mr. Speaker, I move that this House do now adjourn until Monday, April 18, 1949 at 1:00 p. m.

The motion was agreed to, and (at 1:39 p. m.) the House adjourned.

05-17 BIG
8 032919 991355

UNIVERSITY OF ILLINOIS-URBANA
3 0112 073267442